Commentary

VOLUME EIGHTY-NINE • NUMBER TWO • FEBRUARY 1990

The Making of the Mayor 1989
Scott McConnell

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Terry Eastland

Bilingual Miseducation
Abigail M. Thernstrom

Hertzberg's Complaint
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Agnon Without End
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Against the Legalization of Drugs

James Q. Wilson

Books in Review: Richard John Neuhaus / Steven Beller / Arch Puddington / D.G. Myers / David Gress

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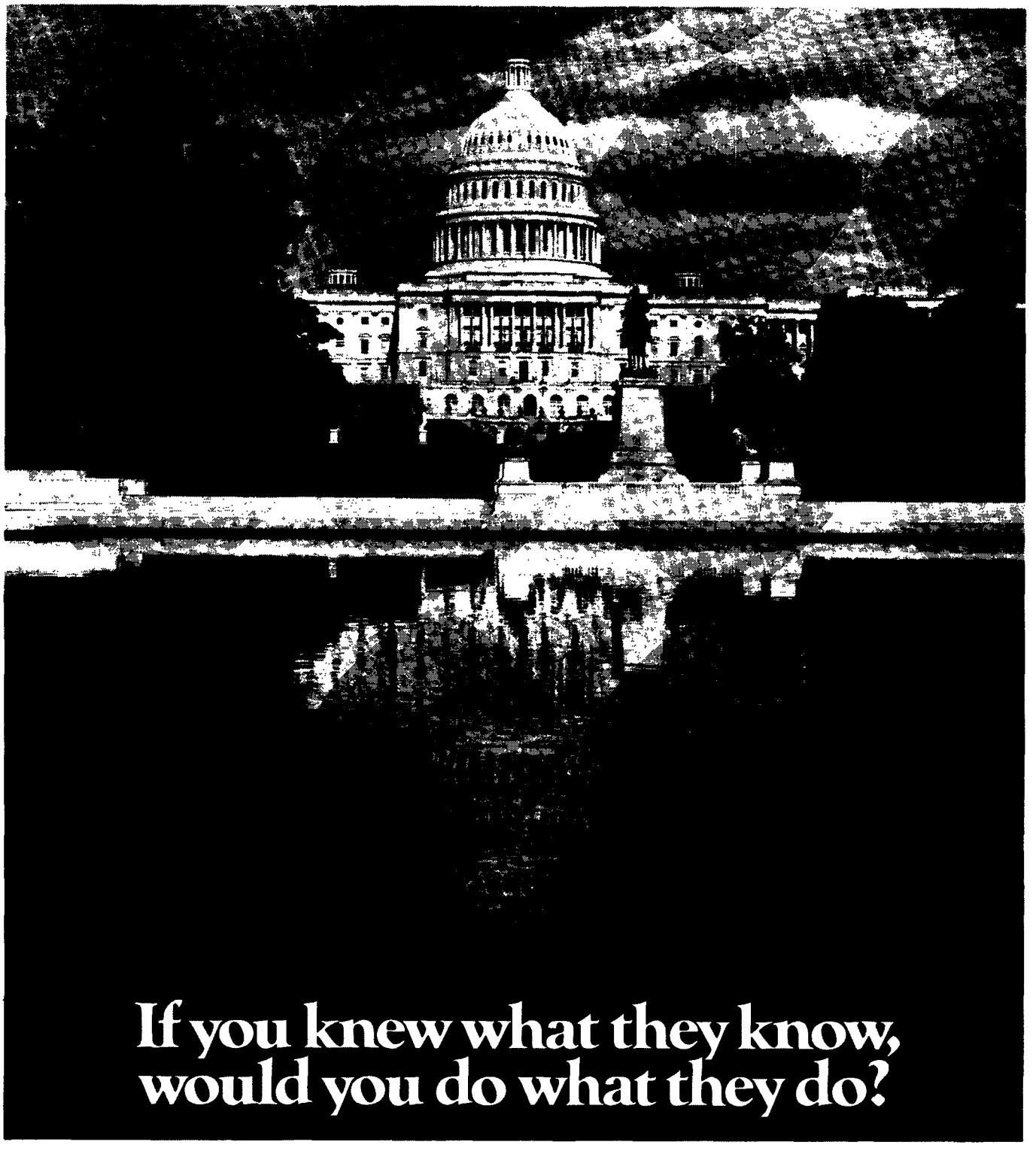

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The Founding of Israel

TO THE EDITOR OF COMMENTARY:

I wish to enter a plea of "not guilty" to all the charges leveled against me by Shabtai Teveth in his article, "Charging Israel With Original Sin" [September 1989]. In this article, Mr. Teveth roundly condemns the "new historiography" on the founding of the state of Israel and then singles out for special attention my own book, *Collusion Across the Jordan: King Abdullah, the Zionist Movement, and the Partition of Palestine*, and the book by Benny Morris, *The Birth of the Palestinian Refugee Problem, 1947-1949*. Benny Morris has already rebutted a longer and more vitriolic version of Mr. Teveth's critique of the "new" historians in the pages of the independent Israeli daily *Haaretz*, so it only remains for me try to put the record straight as far as my own book is concerned.

Mr. Teveth attributes to me all sorts of views which I do not hold, political motives of which I am not conscious, and a desire to delegitimize Zionism which I emphatically do not possess. He deplores in particular the "attempt to disconnect the birth of the state of Israel from the experience and tribulations of the Jewish people at large." My book, however, is not about the experience and tribulations of the Jewish people, nor is it specifically about the birth of the state of Israel. It is an account of the relationship between King Abdullah and the Zionist leaders in the period from 1921 to 1951 and its specific focus, as the subtitle indicates, is on the partition of Palestine.

My method, according to Mr. Teveth, is like that of a hunter adjusting his sights, oblivious of his surroundings and blind beyond the end of his nose. This description is as apt in relation to Mr. Teveth's *modus operandi* as it is inapplicable to mine. As anyone who read my book would know, I go to great lengths to fill in the background, to trace the bilateral relationship that is at the center of the book against the wider backdrop of events in Palestine, and to examine the role played by the other actors in the Palestine conflict. The real difference between Mr. Teveth and myself is that he can only view the conflict from a narrow Zionist point of view whereas I at least try to look at it not from the Zionist point of view but also from the point of view of the Palestinians, Transjordan, the other Arab states, the great powers, and the various would-be mediators.

The charge that the "new historiography" rests in part on defective evidence is curious when one recalls what passes for evidence in the "old historiography," which in this respect is hardly distinguishable from old propaganda. If there is one fundamental difference between the "old" and the "new" historiography, it is that the latter was written with the benefit of access to the official documentary record whereas the former was not. *Collusion* was based very heavily on archival research in Israel, Britain, and the United States. The Arab states, as Mr. Teveth observes, do not permit access to archival material in the Western manner. Nevertheless, some valuable primary sources in Arabic do exist, and these I have used extensively. Mr. Teveth does not mention a single relevant Arab source that I failed to consult, so on what does he base his charge of defective evidence?

Mr. Teveth dwells at great length on the Peel partition plan of 1937, which is a fairly minor theme in my book. There is some justice in his claim that I overstressed the role played by Zionist tactics and underestimated the role of British opposition in the defeat of the Peel plan, and I tried to give a more balanced account in the revised and abridged paperback edition of my book which will appear in the fall of 1990. But I still regard Zionist tactics in 1937 as self-defeating and I quoted from Nahum Goldmann's autobiography because he is by no means the only Zionist leader who later regretted those tactics and because I happen to consider Goldmann a more honest, humane, and far-sighted statesman as far as the Arab question is concerned than Mr. Teveth's hero—David Ben-Gurion.

In 1937 both Goldmann and Ben-Gurion were in favor of partition and both preferred Abdullah to the Mufti as a neighbor. This was indeed the basic Zionist strategy following the defeat of the Peel plan: to strive for the partition of

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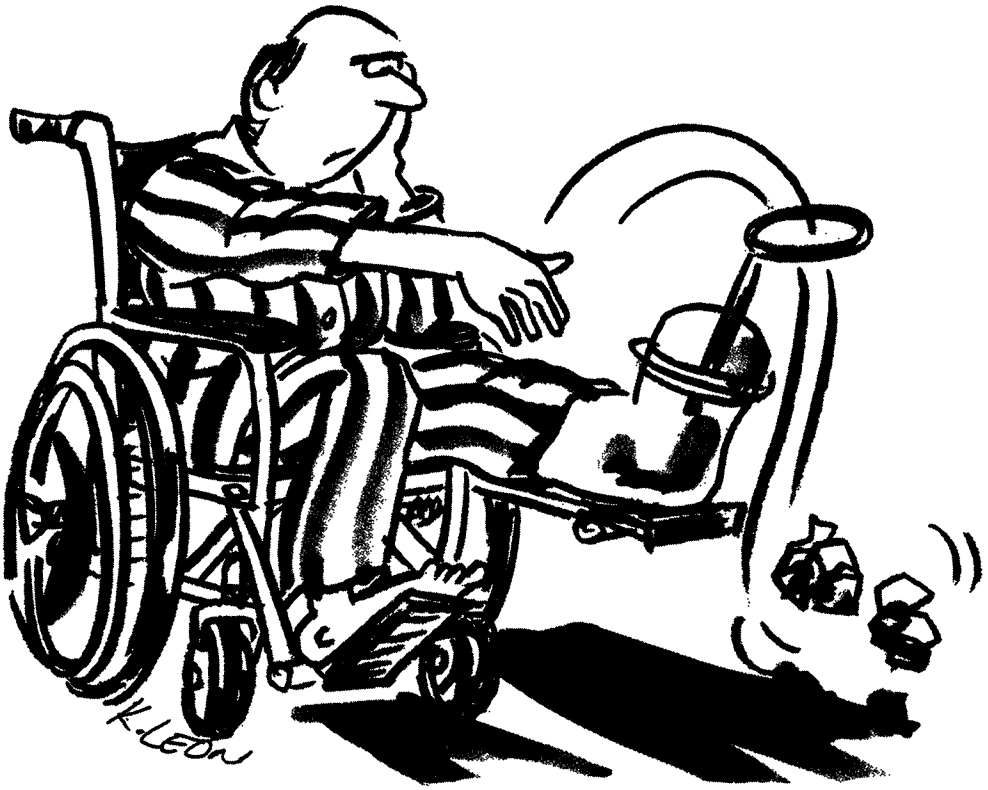

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Palestine in cooperation with Abdullah. The leading proponent of this pro-Hashemite orientation was none other than David Ben-Gurion who in early August 1946 submitted a plan for turning the British Mandate into two independent states, "Judea" and "Abdallia." The omission of "Palestinia" was not accidental.

The purpose of Golda Meir's first meeting with Abdullah in November 1947 was to reach agreement on the partition of Palestine at the expense of the Palestinians and not merely to try to persuade Abdullah not to attack the nascent Jewish state, as Mr. Teveth would have us believe. He coyly admits that "Israel and Jordan did maintain a dialogue," but goes on to argue that "at most theirs was an understanding of convenience. . . . There was nothing in such an understanding to suggest a collusion designed to deceive a third party, in this case the Palestinian Arabs." How does Mr. Teveth reconcile the payments made by the Jewish Agency to Abdullah and his underlings with his picture of an innocuous dialogue? How does he get around the firsthand reports of the meeting (by Ezra Danin and Elias Sasson) that solidly underpin my account of the collusion? And since opposition to a Palestinian state is still the policy of Ben-Gurion's followers, what exactly is wrong with shedding light on the origins of this policy?

On the 1948 Arab-Israeli war which takes up a third of my book and stands in such sharp contrast to the heroic version cultivated by the "old" historians, Mr. Teveth has remarkably little to say and no evidence, defective or otherwise, to support his arguments. He simply opines that were the Arab archives ever to be opened, we might discover that in the event of an Arab victory Abdullah intended to deal with the Jews more harshly than I seem to assume. Well, in the first place I make no assumptions on what might have happened in the (unlikely) event of an Arab victory but content myself with analyzing the diplomatic and military moves of Jordan and Israel. From this analysis I conclude that the two sides pursued limited objectives and acted with deliberate restraint and with the common aim of aborting the birth of the Palestinian Arab state envisaged in the UN partition resolution of November 29, 1947. Why speculate about Abdullah's intentions when we have the evidence of Abdullah's actions? His actions did not include any serious attempt to capture Jewish state territory but were rather directed at making himself master of the Arab part of Palestine in accordance with the understanding that he had reached earlier with the Jewish Agency. Significantly, the only serious military clash between the two sides occurred in Jerusalem, which was not covered by this understanding, and there the Arab Legion only intervened in response to an Israeli military offensive.

The principal bone of contention between the "old" historians and myself, concerning the responsibility for the political stalemate that followed the 1948 war, is not even mentioned by Mr. Teveth. According to the "old" historians, Israel's leaders did everything in their power to come to terms with the Arabs but found no willing partner. I list the peace offers made by Egypt, Jordan, and Syria, each of which carried a different price tag, and conclude that in the aftermath of the first Arab-Israeli war Israel's intransigence was greater than that of the Arabs. Ben-Gurion in particular preferred the status quo enshrined in the armistice agreements to a formal peace that entailed Israeli concessions either in territory or on the refugee question. Whether he made the right choice is a matter of opinion. What can no longer be credibly sustained is the claim that Israel's founding fathers passionately and wholeheartedly strove for peace but found no one to talk to on the Arab side.

Yet Mr. Teveth concludes his article with the assertion that the "new" revisionist historians have patently failed to undermine the "old" history. Most reviewers outside Israel think otherwise but, in any case, as a partisan in the ongoing debate, Mr. Teveth is hardly the best judge. Much more objectionable and obnoxious, however, is Mr. Teveth's parting shot which attributes to the "new" historians the "larger aim" of providing fresh sources of sympathy for the Arabs and fresh sources of antipathy to the Jews. My own aim was to draw on the extensive primary sources that have recently become accessible in order to provide an honest and scholarly account of the Jordanian-Israeli connection and of the role it played, alongside other factors, in determining the fate of Palestine. To me the historical truth is more important than the contemporary image or interests of one of the parties to the conflict, even if that party happens to be Israel. Mr. Teveth, on the other hand, evidently views the debate about Israel's past as an extension of the political struggle between Israel and the Palestinians. He is more concerned with defending Israel's policy toward the Arabs than he is with genuine historical research. It is not the "new" history but his attack on it that is politically motivated. Neither Benny Morris in his book nor I in mine have charged Israel with "original sin." It is Mr. Teveth who, in the face of all the evidence to the contrary, continues to cling to the doctrine of Israel's immaculate conception. And it is Mr. Teveth who, with the hypocrisy that is so characteristic of the Labor establishment, insists on claiming for Israel not just the twenty pieces of silver but also the crown of thorns.

AVI SHLAIM
St. Antony's College
Oxford, England

TO THE EDITOR OF COMMENTARY:

Concerning Shabtai Teveth's "Charging Israel With Original Sin," Mr. Teveth has gravely misrepresented the findings and conclusions of my book, *The Birth of the Palestinian Refugee Problem, 1947-1949*, and has twisted and distorted the arguments and views presented in my article, "The New Historiography: Israel Confronts Its Past" (*Tikkun*, November-December 1988). A pack of lies would be a not inaccurate description. A full rebuttal of Mr. Teveth's arguments appears in the January-February 1990 issue of *Tikkun*.

BENNY MORRIS
The Brookings Institution
Washington, D.C.

TO THE EDITOR OF COMMENTARY:

. . . Shabtai Teveth uses the historical record, and I think correctly, to prove that the Arab refugee problem of 1948 did not come about as the result of a calculated, long-term master plan on the Jews' part ultimately to evict the Arabs, but rather as the unexpected outcome of decisions taken by the Arabs themselves. But I find intriguing his eagerness to prove that population transfer was not a recurring theme of mainstream Zionism. I suggest that a good case could be made for the position that

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transfer was like what sex used to be: nearly everybody thought about it privately, most people would have preferred not to do without it, and everybody maintained a discreet and embarrassed silence with respect to the subject. If it were otherwise, Chaim Simons could not have unearthed the 64 population-transfer proposals he documents in his book, *International Proposals to Transfer Arabs from Palestine, 1895-1957* (Ktav Publishing House, 1988).

Unfortunately, Zionist apologetics have for the most part been based upon recitals of how vast a land area the Arab nations occupy in contrast to tiny democratic Israel, how well the Arabs have fared in Israel economically, and how industriously the Jews who needed a homeland worked to make a garden out of a neglected desert. Zionism has *not* had the courage to say that the Palestinian Arabs in the final analysis are squatters on the homeland of the Jewish people, and the squatter's rights they claim cannot and will not be conceded in the Jewish state. . . . That alone is the proper answer to the revisionists because it renders their earth-shaking revelations simply irrelevant. It is also why those who will not forthrightly defend Israel's right to Judea and Samaria today will find themselves unable to defend its claim to the Galilee and the coastal plain tomorrow.

While the revisionists charge Israel with "original sin," Mr. Teveth can be said to exhibit embarrassment at what should be seen as a natural function for a state committed to survival. Faced with a steadily growing population of internal enemies, its most humane response must ultimately be some form of population transfer. It is futile to refute the revisionists without at the same time laying the intellectual groundwork for this.

ZALMAN GAIBEL
Chicago, Illinois

SHABTAI TEVETH writes:

Much of Avi Shlaim's defense rests on confusion. To begin with, it is not I who have heralded the "'new historiography' on the founding of the state of Israel" or crowned the "new" historians or named their works. All this is the creation of Benny Morris in *Tikkun*. I myself recognize only good and bad historians, and the sole intent of my articles, both in *Haaretz* and in COMMENTARY, was to posit the question of whether these self-proclaimed "new" historians fit the latter designation.

Mr. Shlaim complains of my attributing to him "political motives," of which he is not conscious, and of my "parting shot"—namely, the charge that he and Mr. Morris are "providing fresh sources of political sympathy for the Arabs, and fresh sources of antipathy to the Jews." Unfortunately I must send him back to the paragraph in Mr. Morris's article where he expresses the hope that the "new" history "may also in some obscure way serve the purposes of peace and reconciliation between the warring tribes [*sic*] of that land," and to the paragraphs whose innuendo is all too clear: Israel was born in sin, and its image as a seeker of peace and progress was always a fraud.

Mr. Morris leaves no room for doubt that it is a commitment to the "purposes of peace" (as he defines them) and not some idea of historical accuracy which determines who is eligible to become a member of the "new-history" club. Sympathy for the Palestinians is essential for such membership, as expressed in the effort to reveal the malevolence of Zionism toward the Arabs, and the injustice wreaked upon them since its inception. In a word, the delegitimation of Zionism. Would Mr. Shlaim deny that such motives are "political"?

In the year since Mr. Morris's article appeared, Mr. Shlaim has not dissociated himself from the "new" history, in which he co-stars with Mr. Morris, nor has he taken issue with Mr. Morris's canonization of the "new" historians. In fact, his *Collusion Across the Jordan* adheres religiously to Mr. Morris's assertion that the "new" historians have demolished "the essence of the old history," which stipulated "that Zionism was a beneficent and well-meaning progressive national movement . . . [and] that Zionist efforts at compromise and conciliation were rejected by the Arabs." Moreover, they both defended their revisionist history shoulder-to-shoulder at a two-day symposium at Tel Aviv University last April, with Mr. Shlaim assuming extra vanguard duty for the good of their common cause in a self-congratulatory article in the *Economist*.

Mr. Shlaim asks in his letter on what I base my charge of "defective evidence." He acknowledges that he significantly distorted the role played by Zionist leaders in the matter of the Peel plan on the basis of a single paragraph in Nahum Goldmann's diary (and that paragraph misunderstood), but there are also many further instances in this 650-page book of his predilection for supporting a monumental and far-reaching construction on the basis of a single secondary, if not tertiary, source. The most notable example is the case of Walid Khalidi, to whom Mr. Shlaim refers time and again as "the eminent Palestinian historian." He uses Khalidi first to confirm the injustice inflicted on the Arabs by the founding of Zionism at Basel in 1897 ("This is the essence of the Palestinian tragedy"), and later to pass judgment on the UN partition plan of 1947, citing a page-long quotation to the effect that the partition of Palestine "was Zionist in inspiration, Zionist in principle, Zionist in substance, and Zionist in most details." Finally, he cites Khalidi as the basis of his contention that Zionism, itself imperialist from birth, was abetted in 1948 by British imperialism: "Since the UN had not provided for an international force to implement its resolution, the British decision to withdraw, . . . given the balance of power inside Palestine, which was crushingly in favor of the Zionists, . . . was an open invitation for a Zionist military takeover of the country."

Thus are some of the thorniest issues in the Arab-Zionist debate—the true nature of the Basel Program, the true motives of the UN's "Special Committee on Palestine" (UNSCOP), Britain's true role in 1948, and the true balance of power in Palestine in that year—resolved, once and for all, by one stroke of a Palestinian historian's pen.

When no other authority is at hand to depict Zionism as violent and nefarious, Mr. Shlaim has his own inspiration to fall back on, as when he writes that the methods employed by the Zionist leadership to achieve its ends "included not just flexible diplomacy but also bribery, deception, coercion, and physical force." He dwells on the "massive increase in military power that accompanied the achievement of independence" and asserts ominously that "If diplomacy did not yield the desired results, the state of Israel could always fall back on its superior armed forces to protect its basic interests." As Mr. Shlaim sees it, there does not seem

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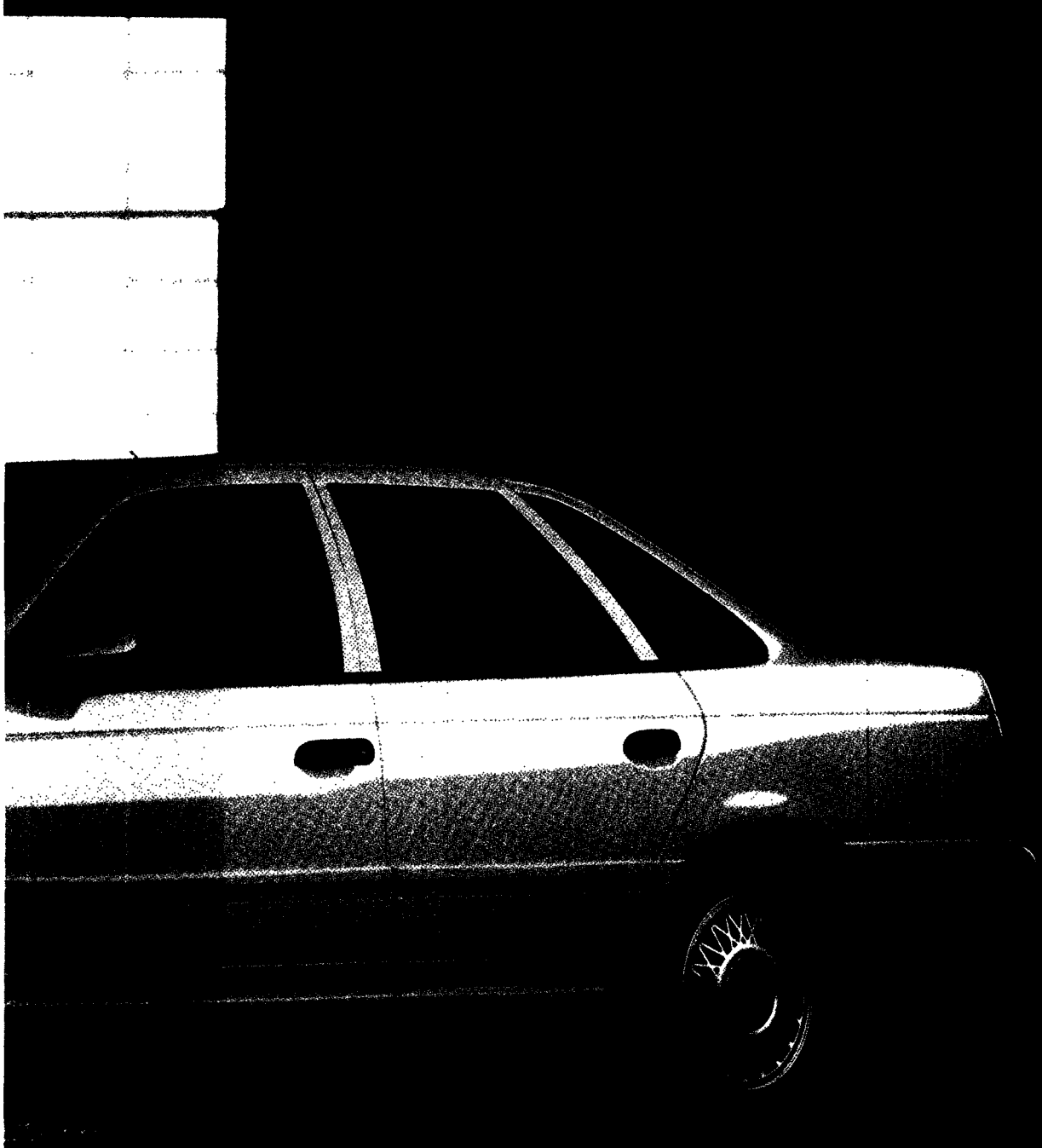

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to have been any need for an armed Jewish force altogether. If such a force came into being it was not in response to Arab attacks on Jewish life and property in Palestine, or to fight Hitler, but rather as an inherent necessity, a kind of preprogrammed DNA code in the bad seed of Zionism. After all, since the Arabs of Palestine and their brethren in the neighborhood reacted so peacefully to the UN partition resolution, why should Palestine's Jews have had to bother with self-defense?

So far as Mr. Shlaim's "collusion" thesis goes, it should be pointed out that collusion would have required at least two parties working together to deceive a third. But where is the evidence for such cooperation? Since Israeli archives dealing with 1948 are now open for the most part, there can be no question but that Ben-Gurion had little faith in the King and felt no obligation whatever toward him, both before and after the failure of Golda Meir's second meeting with Abdullah in May 1948. One proof of this, which has been known for some time now, was Ben-Gurion's demand on September 26 for cabinet authorization to dislodge the Arab Legion from its positions on the West Bank. Now there is further evidence bearing on the same point in the form of a quotation from Golda Meir's report—hitherto unpublished—on her return from the King on May 11:

> If Abdullah tries to invade Palestine, the invader is neither he nor the Arab League, but the English force, which is now being evacuated through the front door of Haifa, only to return through the back door in the guise of Abdullah and the Arab Legion and the Iraqi forces. The Arab Legion has become a near legend, and I have it on the strength of a very senior British officer in the region, that Abdullah may find it quite unprofitable to put it to a test in the field. And as much as one can tell about his mood and preparations, it seems to me Abdullah is about to set out on a very, very risky venture.

Would Golda Meir have talked in this vein if she had entered into collusion with Abdullah? Would she have summed up her report with the following words? "It can be assumed that an attempt at invasion [by the Arab Legion] will be made very shortly . . . but I have the feeling that we are able to deal this force a serious blow as well . . . and we shall be done with this fiction."

And as for Ben-Gurion, if he were in the midst of striking a deal with King Abdullah, would he have come out with an announcement that the Haganah, at long last, now had locally-made PIATS (anti-tank weapons) in its possession, adding, "today we have the wherewithal to meet the Arab Legion's armor"? Would he have remarked further on May 29 that among the first missions of Israel's air force was the bombing of Ramallah when King Abdullah was in town?

It is clear, then, that one party to the alleged "collusion" must be counted out. What about the other party? Did Abdullah want to go it all alone? Since Mr. Shlaim sticks to his guns, his answer must be in the affirmative. But how does he know what Abdullah had in mind, or what he told his closest aides, if Jordan's archives for that period are unavailable or nonexistent?

Nowhere does the incongruity between Mr. Shlaim's understanding of history and his collusion thesis manifest itself so strongly as in his question: "Why speculate about Abdullah's intentions when we have the evidence of Abdullah's actions?" It is hard to believe such thinking comes out of Oxford, for surely little is so open to differing historical interpretations as actions themselves.

Mr. Shlaim's other question, about how to "reconcile the payments made by the Jewish Agency to Abdullah and his underlings" with my "picture of an innocuous dialogue," arouses equal incredulity. Does he really intend to suggest that King Abdullah was bribed into colluding with Israel by the pittance paid to him by the Jewish Agency? Let me remind Mr. Shlaim that in the fields of foreign affairs and intelligence, especially in the Middle East, such payments were the rule, not the exception. They are hardly an indication of one or another policy, military or otherwise. In any case, the political department of the Jewish Agency always endeavored to keep all options open, and Abdullah was not the only Arab leader to have appeared on its payroll.

No less shaky than the collusion thesis is Mr. Shlaim's preposterous allegation that the Arab governments of Egypt, Syria, and Jordan "stood in line"—as he put it at Tel Aviv University—to make peace with Israel, only to be rejected out of hand. In the case of Egypt and Syria, Mr. Shlaim's thesis has already been proved totally unfounded by others (and Mr. Shlaim himself came close to admitting his mistake in regard to Syria's Husni Zaim). But what of Abdullah? Was he too pressuring Israel to accept peace?

In discussing the post-1948 period, Mr. Shlaim turns the tables. Abdullah and Ben-Gurion are no longer confederates in unseemly collusion against the Palestinians. Now they appear as the negotiating parties to what he calls "The Elusive Peace Treaty." The shift in emphasis makes for a reversal of roles. The once formidable Abdullah is now a ruler on the wane, who does his utmost—short of falling on all fours—to sign a peace treaty with the insatiable, intractable Israelis. On December 13, 1949, a breakthrough of sorts in the negotiations finally presents itself. Israel, in return for peace, agrees to give Jordan an outlet to the Mediterranean, but the negotiations break off after Abdullah insists on a corridor more than two kilometers wide, while Israel will agree to a corridor of no more than 100 meters.

In the Shlaim version it is the usual "villains"—Ben-Gurion, Dayan, and "the Israeli military"—who aborted the treaty. Though Israel would seem to any fair-minded observer to have offered a major concession in agreeing to such a corridor at all—under full Jordanian sovereignty, forming an inseparable part of Jordan's territory, and cutting across the entire area of southern Israel (and this at a time when Britain, the U.S., and the Arab states were trying to tear the Negev away from the Jewish state!)—Mr. Shlaim is unrelenting in his criticism. As he puts it, "Ben-Gurion had clearly not learned that negotiations consist of more than one-sided insistence on advantages that had not been achieved by war and stubborn refusal to take into account the arguments of the other party." That this harsh evaluation purports to be a scholarly assessment is hard to credit.

Jordan in any case is spared such rigorous scrutiny, as is glaringly evident in Mr. Shlaim's discussion of the February-March 1950 round of talks between the two parties. These centered on the proposal of a nonaggression pact, put forward by the King, as a substitute for a

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full-blown peace treaty. When the time for ratification arrived, Abdullah—seeing he was unable to secure his government's support—became evasive, and even untruthful, but there is not a word about this from Mr. Shlaim.

In pointing out Mr. Shlaim's faults one could go on and on. I would like, however, to sign off with a puzzle which allows me no rest: writing in *Haaretz* last May, Benny Morris was kind enough to count me among the "new" historians (I shall forever remain in his debt). To Mr. Shlaim, by contrast, I am disqualified as "a partisan." But not Walid Khalidi, an eminent spokesman for the PLO. Why?

In reply to Zalman Gaibel's letter, Chaim Simons did not unearth "64 population-transfer proposals," as Mr. Gaibel puts it. A closer scrutiny—not of the table of contents, but of the book—would reveal that of the sixteen so-called Jewish proposals hardly three were worthy of the title, and none was an official proposal put forward by a Zionist party or approved by either the Zionist World Congress or the Israeli government. For the most part the proposals Simons deals with are nothing more than fleeting, unpublished ideas, some of which were aired before Palestine came under the British Mandate. To this day, the most important proposal remains that of the Peel Royal Commission of 1937, in response to which a good many of the Jewish "proposals" came about.

Mapplethorpe & the Flag

To the Editor of Commentary:

I object to the message Walter Berns purports to find in my book, *Constitutional Faith* ["Flag-Burning & Other Modes of Expression," October 1989]. He starts off by correctly stating that I suggest the possibility that "[t]he death of 'constitutionalism' may be the central event of our time, just as the death of God was that of the past century (and for much the same reason)." Indeed, if I correctly understand the thought of Mr. Berns (and other followers of Leo Strauss), I think we may be in substantial agreement on this point, at least descriptively. I also do not object to his quoting me for the (descriptive) proposition that, in contemporary positivist jurisprudence, "law is stripped of any moral anchoring."

What is outrageous occurs in what then follows:

> The "self" exists in this void [i.e., a world deprived of moral anchoring]; it is merely will; it becomes what it is only by asserting—in Nietzsche's formulation—"the will to power," and the strongest will must prevail. This prospect does not frighten Levinson: "Political institutions," he says, "thus become the forum for the triumph of the will," the phrase first uttered by Hitler's minister of propaganda, Joseph Goebbels, and rendered memorable (appallingly so, one would have thought) by Hitler's favorite filmmaker, Leni Riefenstahl, in *The Triumph of the Will*. . . .

As Mr. Berns may well suspect, I knew exactly what I was doing when I used the phrase "triumph of the will," and any fair reader of my book would realize that it did not commend that vision of politics. It can be found in a chapter entitled, fittingly enough, "The Moral Dimension of Constitutional Faith," whose thesis is that it is impossible to understand why one would venerate the Constitution *unless* there was some reason to believe that the Constitution in fact *necessarily* (and not simply contingently) embraces an acceptable moral vision.

The offending quotation comes at the conclusion of six pages discussing the transformation in American political thought from a "republican" to a "liberal" political sensibility, and I emphasize the priority placed by liberalism on will. (Consider Jefferson's comment that it "was the will of the nation which makes the law obligatory.") I argue that "[i]n the past, law was legitimate because it was based on moral principles; in the future, law would receive its legitimacy from being the incarnation of the focused energies of the body politic." And, I continue, this "transition of the basis of law from principle to will has the effect of analytically separating law from morality; there is the dissolution of any guarantee that fidelity to law necessarily will mean equal fidelity to principles of moral conduct." Finally, after quoting James Wilson's comments at the Philadelphia convention that laws "may be unjust, may be unwise, may be dangerous, may be destructive," but yet not unconstitutional, I conclude:

> Wilson pointed toward what was to become the dominant view of law for future generations (and certainly the view emphasized today at most major law schools): law is stripped of any moral anchoring, becoming instead the product of specific political institutions enjoying power under

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the Constitution. Political institutions thus become the forum for the triumph of the will, expressed as positive law. . . .

I believe that this description of the main thrust of American thought concerning law is correct. Does Mr. Berns really disagree? However, I defy him to provide any evidence that I celebrate this development, particularly as I go on later in the chapter to present highly critical discussions of John Marshall's jurisprudence that legitimized chattel slavery (by distinguishing the task of "the jurist" from that of "the moralist") and of Oliver Wendell Holmes's jurisprudence.

What I find so deeply ironic about Mr. Berns's calumny is not only that many aspects of our respective analyses are quite congruent (even though we admittedly go off in drastically different directions), but that the view I am describing is precisely that held by Robert Bork, a great favorite of his. . . . But I am less concerned about this latter point than I am about being rhetorically joined, even for an instant, in political comradeship with Joseph Goebbels. I expect better of Walter Berns.

SANFORD LEVINSON
School of Law
University of Texas
Austin, Texas

TO THE EDITOR OF COMMENTARY:

Walter Berns's "Flag-Burning & Other Modes of Expression" raises many important questions, especially in regard to art and freedom of expression. I would like to raise an additional point concerning what I believe to be a crucial distinction between art consisting of inanimate raw material shaped by the artist's imagination, and art consisting of the capture on film of images of actual events. The former involves no loss of human life, liberty, or health. The latter potentially can result in the loss of all three. . . .

When the creation of images of actual events involves the deliberate staging of criminal deeds (some of them perhaps harmful to the welfare of the photographed persons), then the resulting "art" should not become a vehicle for the artist's ascent to fame and fortune. Rather, it should serve as evidential basis for the artist's prosecution for criminal deeds, even if not for the obscenity of the resulting photographs. . . .

In the case of the exhibit of Robert Mapplethorpe's photographs, for example, *Time* magazine observed, in its coverage of the controversy, that some of the photographs of children in an erotic context might be prosecutable under laws against child pornography. Since there has been a consensus ever since 1978 that child pornography is beyond the protection of the First Amendment, prosecutors have taken on such cases with virtual certainty that the courts would mount no constitutional challenges. Were he alive today, would Mapplethorpe's status as an artistic poseur somehow remove him from the threat of prosecution? Most would say not.

What about the performance of humiliating, even physically harmful, deeds in front of the photographic lens? Did the person in the whip-handle photograph willingly consent to such violence upon his person? Is there any chance that this photograph was obtained against the will of the subject as in the case of the star of the pornographic film *Deep Throat*, who contended that she was forced at gunpoint to perform the deeds which made millions of dollars for the film's underworld producers? Whatever the specific circumstances, . . . potential abuses like these require government regulation. Film-makers' freedom stops precisely where the health, life, or liberty of film subjects is endangered. . . .

Mr. Berns writes: "Judges may not be able to devise a rule of law marking the difference between Manet and Mapplethorpe. . . ." This is quite true, but no one is asking them to devise such a rule. The crucial distinction to be drawn is that between the manipulation of inanimate matter on the one hand, and the photographing of human bodies and deeds on the other. If Mapplethorpe's "artistic" productions had taken the form of paintings or sculptures, one might walk away merely disturbed or disgusted. But since the images are photographs, one walks away certain that the violence and the child abuse actually happened; and that someone is growing rich and famous doing such things to other people. This is the essential distinction, not whether or not Mapplethorpe's work has artistic merit. . . .

MARK ROSS BATEMAN
St. Clair Shores, Michigan

TO THE EDITOR OF COMMENTARY:

Walter Berns . . . is inconsistent and hence unpersuasive when he claims that courts act appropriately when they meddle in the area of political expression but not in that of artistic expression (the distinction between "speech" and "expression" seems here semantic quibbling). Why should the two be treated differently? Would the display of a painting depicting the American flag being burned by angry protesters be considered a legitimate form of artistic expression but the act not? . . . Isn't the boundary between the artistic and the political just as blurry as that between the artistic and the pornographic?

Does flag-burning threaten our national security any more than burning a man in effigy, burning a cross, or burning books—the last-named admittedly much worse in its possible consequences than the other two acts of destruction? Flags, crosses, and persons in effigy are all easily replaced; books not so. The destruction of a symbol cannot inflict even a scratch on what is symbolized, that which is truly sacred (and may even strengthen what is symbolized through backlash).

Mr. Berns assumes with unexplained certainty that Gregory Johnson's act of flag-burning was motivated primarily by the thrill of violating a law: "Of course," he writes, "deprived now of flag-burning—because it is no longer illegal—Johnson and his friends will have to find new ways to aggress against the symbols, the conventions, or the mores which . . . provide the foundation of America's laws and its political life." Mr. Berns does not explain how he knows that Johnson burned the flag precisely because he thought it was illegal. Until otherwise revealed, it would seem more likely that his primary motivation was anger against his country.

And what about the cost, feasibility, and necessity of enforcing laws criminalizing desecration of the flag? Clearly, the FBI has more important things to do.

Flag-burning and other forms of desecration do frequently violate existing laws and ordinances. These, coupled with the patriotic feelings of the vast majority of Americans, preclude an epidemic of flag-burning, and, as already mentioned, isolated acts of flag-burning most assuredly strengthen those very same patriotic feelings of

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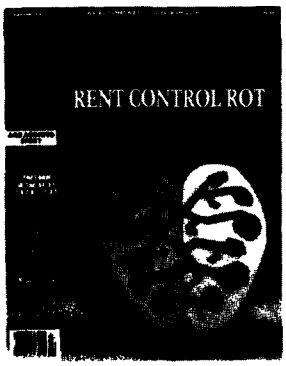

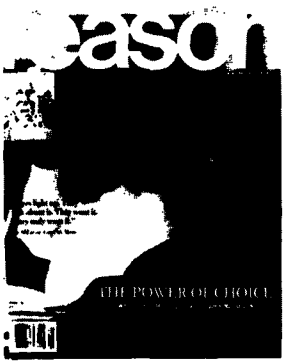

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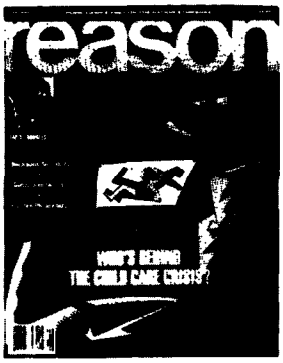

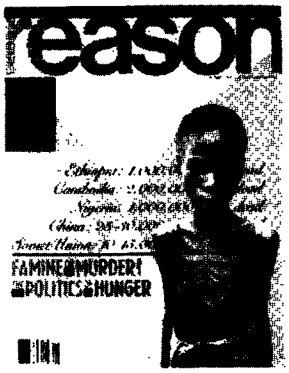

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which the poor flag-burner would rid us. Besides, what is the crime if, angry with my country (and goodness knows, there are occasions when even a patriot can get angry with his country), and not being artistically gifted enough to paint a flag-burning, I buy an American flag and burn it? Is this not a relatively harmless, inconsequential escape valve for my anger compared to espionage, assassination, sabotage, or even membership in extremist political parties, the last of which is legal? . . .

It is beside the point whether or not the Constitution is designed to protect "speech" but not "expression," be it political, religious, artistic, pornographic, or otherwise. Is not the original and ultimate purpose of the Constitution to protect persons and not symbols?

SALLY B. REYNOLDS
Raleigh, North Carolina

TO THE EDITOR OF COMMENTARY:

Walter Berns's suggestion that the Constitution protects only "sober" political speech evinces an incomplete understanding of what free speech is all about.

Freedom of speech is necessary not so that any fool with a soapbox can speak his piece, but so that we, the people, can exercise meaningful self-government. . . . The Constitution necessarily protects the flag-burner and the Communist so that we citizens can react politically, with horror if we like, to the information they impart. I expect never to exercise the right to call for dictatorship, and I get no joy from knowing that others may do so, but I do like thinking that I, and not the government, will have the opportunity and responsibility to reject the call when it is made. Only by protecting the remonstrant can I assure my sovereignty.

Viewed as an inherent element of self-government, free speech needs no relativist defense. Let us suppose that angry political speech, taken at face value, does not aid the search for political truth. Let us suppose further that advocacy of fascism or Communism can never merit favorable action. A sophisticated electorate still needs to hear what the people have to say. Whatever Gregory Johnson means by burning the flag, his action, which admittedly hurts some people's feelings but does not harm individual reputations, provides politically useful information about *Angst* in the populace. I do not want to deprive myself of that information just because Mr. Johnson chooses to deliver it in an offensive way, or to accompany it with (or even embody it in) an unacceptable solution. If the only thing I glean from Mr. Johnson's activities is that there is one more pinko, utopian hothead in America, Mr. Johnson may not be pleased, but the First Amendment will have done its job. . . .

I do not mean to suggest by this philosophical objection that a law against flag-burning is otherwise workable. . . . A better student of mathematics and philosophy could probably show that political censorship is so inconsistent with self-government that an effective law of repression cannot be framed without doing violence to the rest of the system. We can forbid the act but not the message, including its emotional content and its power to offend. The medium is not the message, and no amount of legislation can make it so.

LAWRENCE J. KRAMER
Bryn Mawr, Pennsylvania

TO THE EDITOR OF COMMENTARY:

With all due respect for Walter Berns's . . . exposition, the question surrounding Senator Jesse Helms's legislative reaction to the Mapplethorpe and Serrano photographs is not one of First Amendment rights but of the government's financial promotion of such supposed art. I assume the Founders did not intend that we should understand the First Amendment to include the right to a government subsidy.

Perhaps there is no place in modern America to which we can escape from such trash, but at least we may expect our government not to pick our pockets to subsidize the creation of it.

BRUCE M. FINGERHUT
South Bend, Indiana

TO THE EDITOR OF COMMENTARY:

I would be grateful for Walter Berns's comments on one aspect of the substitution of the word "expression" for "speech" in the First Amendment. It is this: if the word "speech" can be properly said to have been intended to cover a broad range of actions which include flag-burning, why did the men who wrote the First Amendment go on to be quite specific about the right to "peaceably assemble and petition for redress of grievances"? To assemble in protest is surely a form of political expression while to petition is surely speech, even if it is written. But if "speech" means "expression," the rest is simply redundant. So why was it included?

SAUL DAVID
Van Nuys, California

TO THE EDITOR OF COMMENTARY:

Why was the Washington intelligentsia so united in praising and attending the Robert Mapplethorpe exhibit? Because it allowed them to indulge their prurient curiosities at an unusually high level of kinkiness while at the same time feeling morally superior to those of us who did not care to attend. Patrons of ordinary peepshows are not granted this indulgence, and sleaziness and self-righteousness are so rarely compatible that the opportunity to combine them in this case was irresistible.

MICHAEL HENDRY
Charlottesville, Virginia

WALTER BERNS writes:

Sanford Levinson objects to being "rhetorically joined, even for an instant, in political comradeship with Joseph Goebbels [and Leni Riefenstahl]." I should hope so. That's why I indicated my dismay that he, a prominent American law professor and constitutional scholar, should join them (if only "rhetorically") by adopting their "appalling" formulation (as I put it) when forecasting our political future. ("Political institutions," he wrote, "thus become the forum for the triumph of the will.") The issue between us is not whether he "celebrate[s]" this development—I made no such charge—but, rather, whether, thinking as he does, he can reasonably or consistently object to it, and whether he (having been persuaded by Martin Heidegger, and more immediately by Paul de Man, Michel Foucault, Roland Barthes, and Jacques Derrida) can persuade his students to object to it. He says in his book that "those of us who are classified as nihilists have drunk deeply at the well of those branches of [postmodernist] thought most skeptical of concepts like truth," and then, announcing his particular indebtedness to Richard Rorty, proceeds to endorse his view that "the establishment of fascism would establish 'fascism [as] the truth of man, and so much the worse for us.'" With all respect, I don't think Mr. Levinson is doing much, if anything, to prevent that from happening.

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Alas, Mark Ross Bateman, there is no "chance that [the whip-handle] photograph was obtained against the will of the subject." The anus involved in it—or so I am told—was Mr. Mapplethorpe's own. (Which, of course, raises the question of who the photographer was.)

As to the possibility of a prosecution under the child-pornography laws, the director of the Corcoran Gallery, Christina Orr-Cahall, was warned of this by legal counsel, a fact little noted in the press or by her colleagues on the Corcoran board when, anxious to reestablish their anti-bourgeois credentials, they tossed her to the baying wolves in the press and the so-called art community.

Then, unlike Mr. Bateman, I do not think Mapplethorpe's work would be any less objectionable had it taken "the form of paintings or sculptures." The issue here—I am referring only to the photographs that gave rise to the controversy—is not, primarily, the physical harm done to the photographer's subject—what about the harm, physical and spiritual, done to the painter's or sculptor's model?—but, rather, the meaning of art. "What is poetry which does not save/Nations or people?" asks Czeslaw Milosz, and, as the following statement suggests, the same might be asked of painting and the plastic arts:

> In art the mass of the people no longer seek consolation and exaltation, but those who are refined, rich, unoccupied, who are distillers of quintessences, seek what is new, strange, original, extravagant, scandalous. I myself, since Cubism and before, have satisfied these masters and critics with all the changing oddities which have passed through my head, and the less they understood me, the more they admired me. By amusing myself with all these games, with all these absurdities, puzzles, rebuses, arabesques, I became famous and that very quickly. And fame for a painter means sales, gains, fortune, riches. And today, as you know, I am celebrated, I am rich. But when I am alone with myself, I have not the courage to think of myself as an artist in the great and ancient sense of the term. Giotto, Titian, Rembrandt, were great painters. I am only a public entertainer who has understood his times and exploited as best he could the imbecility, the vanity, the cupidity of his contemporaries. Mine is a bitter confession, more painful than it may appear, but it has the merit of being sincere.

The author of this statement (for which I am indebted to Herbert I. London) was Pablo Picasso.

I wonder if Sally B. Reynolds is justified in thinking the law should ignore cross and effigy burnings. Of a cross on the steps of the Lincoln Memorial? Of an effigy of Martin Luther King, Jr. in Bedford-Stuyvesant?

She is, of course, correct when she says that I cannot be certain that Gregory Johnson burned the flag "precisely because he thought it was illegal." But if, as I wrote, he was moved primarily by anger, and if, as Aristotle teaches us, anger is the pain suffered at the hands of another combined with the pleasure of exacting, or contemplating, revenge, then I don't think it can be satisfied by a sober, and legal, remonstrance.

She is also correct in thinking that the response to flag-burning *may* be a strengthening of "patriotic feelings" in the community at large, and that punishing it *may* do more harm than good. The same might be said about a constitutional amendment to permit such punishment, which is why, although asked, I refused to join in the effort to adopt one.

Lawrence J. Kramer says free speech—by which he means, anything goes—"needs no relativist defense," a statement contradicted by the leading authority on free speech so understood, legal historian Leonard W. Levy. Levy writes (in his *Legacy of Suppression*): "Freedom of speech could not become a civil liberty until the truth of men's opinions . . . was regarded as relative rather than absolute."

I agree with Bruce M. Fingerhut that one issue raised in the Mapplethorpe affair is whether the government is obliged by the First Amendment to subsidize "such supposed art." Surely not, any more than it is obliged to subsidize a church exercising its First Amendment right of freedom of worship.

Saul David makes a good point. By reading speech to include all forms of expression, what follows in the First Amendment may indeed be "simply redundant." I had never thought of that.

For their support I am grateful to Michael Hendry and to those who wrote me directly.

Jewish Mysticism

To the Editor of Commentary:

Robert Alter's "Jewish Mysticism in Dispute" [September 1989] refers briefly to my much more positive review of Moshe Idel's *Kabbalah: New Perspectives* in the New York *Times Book Review*. Contrary to Mr. Alter's assumption, however, I do not see Idel's work only as "complementing" Gershom Scholem's, nor do I believe that I have been "taken in" by "a certain cover of discretion." Idel's work is groundbreaking precisely because he attempts to supplant many of Scholem's theses, and not merely to elaborate upon them.

Scholem views Jewish mysticism and its place within Jewish history in a grand scheme that but thinly veils its Hegelian origins: the antimythic legalism of rabbinic Judaism, reinforced by the Aristotelian thought of medieval philosophers, perforce gives birth to a new mythic antithesis in the Kabbalah of the later Middle Ages. This mythic doctrine, while nominally loyal to the normative institutions of Judaism, bears deep within it the seeds of mystical revolution and anarchy, which are brought to fruition by a chain of historical circumstances beginning with the expulsion of Spanish Jewry. The anarchic rebellion of Sabbatianism in turn creates its antithesis in Hasidism, or, in a broader sense, gives birth to Jewish modernity. Idel questions this schematic view at a number of points.

Most significantly, Idel calls for a revision of Scholem's reading of rabbinic Judaism, a reading many have seen as colored by Scholem's distaste for latter-day Orthodoxy. Idel sees more continuity than radical division betwen the rabbinic and kabbalistic sources, suggesting that the mythic world view of the Kabbalah had ancient Jewish esoteric origins, rather than having been created in the 13th century as a reaction to rabbinism and philosophy. Such a claim is indeed hard to document, and Idel does go far on the basis of rather skimpy documentary evidence. But his claims should be read in the context of our revised view of rabbinic Judaism wrought by the scholarship of Erwin R. Goodenough, Jacob Neusner, and others over the past half-century. These historians of religion have shown that the milieu in which the early rabbis

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lived deeply impacted upon their religious consciousness.

Myth, magic, and theurgy were the common stock-in-trade of the religions of late antiquity. The Jews who made magical incantation bowls, who illustrated the mythic motifs found in the remains of ancient synagogues, and who wrote of journeys through the seven heavens were not as far removed as was once thought from the circles that composed Talmud and Midrash. While this does not mean that the early rabbis were all proto-kabbalists, it does indicate in support of Idel that there was a continuum of religious consciousness from the rabbinic period into the early Kabbalah. In this sense, I believe future historians will see medieval Jewish philosophy rather than Kabbalah as an aberration.

While Scholem does describe both theosophical and ecstatic schools of the Kabbalah, he lends significantly more weight to the former. In his summations of kabbalistic thought in various areas (the Eranos lectures, some of which appeared in English as *On the Kabbalah and Its Symbolism*), he hardly ever makes reference to anything other than the contributions of the Zohar and its school. In discussing Lurianic Kabbalah, Scholem tends to explain it as an intellectual historian, reducing the complex meditative system introduced by Luria to its chief ideas, those of *zimzum*, or the "contraction" of the Divine, and *shevirah/tikkun*, or the "breaking" and "repair" of the universe. But Lurianic Kabbalah was spiritually activist in focus: Luria sought to effect the repair of the cosmos by complex meditative techniques tied to devotional deeds. These aspects of Kabbalah, reflecting the deep integration of mysticism with the normative rabbinic life of Halakhah, were to a significant degree ignored by Scholem.

The essence of Kabbalah lies in the inner life of its devotees and the nature of their contemplative efforts rather than in the ideas or even the symbols they produce. Of course it is harder to penetrate and describe that inner life than it is to discuss symbols, and I am not always sure that Idel has succeeded in doing so. His unwillingness to see the theosophical Kabbalah of the Zohar as itself a projection of inward mystical experiences (a key point made elsewhere by Joseph Dan), is a limitation in Idel's work.

The question of whether there exists mystical union in Jewish sources is a complex and more loaded one than Mr. Alter lets on. Historians of comparative mysticism have often dismissed Judaism as not having a "real" mystical tradition because the kabbalistic sources do not speak readily of union. In this they have used (and abused) Scholem as a witness. Already thirty years ago, Scholem's student Isaiah Tishby criticized his master on this point, showing that the Zohar itself allows for mystical union. With regard to Hasidism, there is no question that Scholem's formulations regarding union and "*devekut*" [cleaving (unto God)] have been completely superseded. Here Idel stands on entirely solid ground. One need only refer to the important work of Rachel Elior, Idel's Jerusalem colleague, on Habad thought, to see this clearly demonstrated. All the major aspects of *unio mystica*, including self-annihilation, the transposition of Being and Nothingness, and a radically pantheistic theology, are present within Hasidism.

Undoubtedly, Idel is sometimes overly brash in his references to Scholem and is careless in not footnoting the contributions of others. He has yet to develop Scholem's breadth of perspective or his grace of style. Perhaps *Kabbalah: New Perspectives* is appearing a bit early in Idel's career for such a major statement. Nevertheless, I believe that history will judge it as a major transition point from the sole dominance of this field by Scholem, himself more a product of his German-Jewish tradition of intellectual history than he liked to admit. The critical study of Kabbalah, as this work clearly proclaims, must become a domain worked by scholars who have drunk deeply of the master's critical method but are not limited by the intellectualist biases of his background.

ARTHUR GREEN
Reconstructionist Rabbinical College
Wyncote, Pennsylvania

TO THE EDITOR OF COMMENTARY:

Discussions of mysticism are caught in a semantic trap: both the mystical experience itself and scholarly writings about it unfortunately share the same rubric. It is as if "music" and "musicology" were to carry the same name. . . .

One assumes that most of those who have had genuine mystical experiences do not write about them, lacking either the talent or indeed the inclination to put on paper so intimate and evanescent a moment. In the world of Jewish mysticism even those who did write were, with a few notable exceptions, decidedly close-mouthed about the experience itself. They wrote at length about technical aspects of the phenomenon, . . . but their own personal experiences remained "offstage," so to speak, away from the pages of their books. Gershom Scholem describes in several places this remarkable reticence among Jewish mystics to speak directly of their experience. . . .

One looks in vain in Robert Alter's article for clarification of these ambiguities. The scholarly writings *about* Jewish mysticism are treated as if they *were* Jewish mysticism. . . . Mr. Alter also fails to make a distinction between Jewish mysticism and Kabbalah. The two appear to be interchangeable. But the fact is that not all Jewish mysticism is Kabbalah or even kabbalistic, nor is all Kabbalah mystical. . . . There are many parts of . . . the so-called "practical Kabbalah," for example, that are mere recitations of incantations, . . . quite mechanical and mostly untouched by that "consciousness of the Divine Presence" that Scholem defines as the essential criterion of mysticism. Nor are we lacking in dozens and dozens of kabbalistic "how-to" books, large and small, that relate the specifics of kabbalistic nostrums for various uses. In most of them the mystical Divine Presence is hardly a factor.

On the other hand, most of contemporary Jewish mysticism is uninvolved with Kabbalah. One thinks of the work of Abraham Joshua Heschel in this context. When he says, "To pray is to be in league with God; to envision His holy visions," he is expressing God-closeness in totally contemporary language . . . free of any kabbalistic categories or implications and yet he speaks of Jewish mystical experience exactly in the sense that Scholem defines it. This opens to contemporary Jews the possibility of Jewish mystical experience without having to squeeze through the strange medieval portals of the kabbalistic categories.

RONALD GRUEN
Dallas, Texas

ROBERT ALTER writes:

Though Arthur Green's perception of Moshe Idel's relation to

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Gershom Scholem seems to have shifted since his New York *Times* review, there is much in his thoughtful letter with which I would not quarrel. However, his notion that Scholem based his view of the history of Jewish mysticism on a Hegelian schema is strained and unconvincing. And if Scholem's "intellectualist" bias needs some correcting, I doubt whether the connection should be done through undemonstrable, categorized declarations like Green's "The essence of Kabbalah lies in the inner life of its devotees and the nature of their contemplative efforts rather than in the ideas or even the symbols they produce."

The Kabbalah, of course, began in 12th-century Provence, adopting and transforming elements of Jewish mysticism that antedated it by as much as a thousand years, and the distinction between the specific and the general terms was perfectly clear throughout my article. Contrary to Ronald Gruen's assertions, there was not the slightest confusion in what I wrote between scholarship (Scholem and Idel) and mysticism proper (Merkava mysticism, Kabbalah, etc.). Finally, the ambiguity between mystical experience and mystical doctrine is precisely the ground of the difference in emphasis between Scholem and Idel, the latter contending that his predecessor failed to devote sufficient attention to the experimental aspects of mysticism.

1992

To the Editor of Commentary:

George Szamuely presents a pessimistic and highly unbalanced picture in his article, "The Politics of 1992" [October 1989]. He argues that by 1993 "the United States will likely be confronted with a corporatist socialist Europe" and ignores all those positive factors that suggest that a federalist and free-market Europe is the more likely prospect.

Firstly, Mr. Szamuely never discusses the benefits of the removal of non-tariff barriers. The Cecchini report on the benefits of a single market, published in 1988, estimated that a complete internal European market would reduce costs by $210 billion, produce between two and five million new jobs, increase GDP by 5 percent, and reduce prices by 6 percent and public expenditures by 2.2 percent of GDP. While I believe that the report is too optimistic, even half of these benefits would be considerable. The removal of these barriers would be a major step toward free markets, not only for the European Community (EC), but as a model for the GATT negotiations on tariffs and trade.

Secondly, Mr. Szamuely does not recognize that 1992 will provide considerable trading benefits for the United States. The removal of these non-tariff barriers will make it easier for U.S. firms to sell their goods across the continent. They have been handicapped by these barriers in the past, as they now recognize, and are gearing themselves up to take advantage of the new markets. Increased wealth is not a zero-sum game where gains for Western Europe are at the expense of the U.S. but rather is mutually beneficial, creating additional demand for U.S. products. There are indeed problems, as Mr. Szamuely notes, over the level of standards. But he does not recognize that the EC has moved in a freer direction than in the past. The former policy of harmonization of standards, which would have involved thousands of detailed regulations, has been abandoned in favor of the policy of mutual recognition of national standards, provided they meet basic safety requirements. While U.S. firms are concerned about attempts to use standards against their interests, so too are most European firms which usually prefer a more flexible policy. A light level of regulation is therefore the more likely prospect.

Thirdly, Mr. Szamuely exaggerates the danger of protectionism. There are certainly pressures for protectionism and they need to be fought, but the EC knows that it is heavily dependent on an open world trading system, with responsibility for 20 percent of world exports compared to 15 percent for the U.S. and 9 percent for Japan. The pressure for protectionism comes not from the European Commission, the body entrusted with preparing new laws and policies for the EC, but from national governments which seek to protect particular firms and industries. The Commission is strongly committed to free trade, and to operating at relatively low tariff levels averaging 5 percent. . . . It is committed to the principles and rules of GATT, and has promised that the overall level of protection will not be greater as a result of 1992.

Fourthly, Mr. Szamuely repeats a notion widely used in Britain that Mrs. Thatcher is almost a lone figure standing against these socialist and corporatist tendencies. No credit is given to the free-market stances of the Federal Republic of Germany or the Netherlands. There are numerous references to Jacques Delors, but none to the fact that Delors is a minority within the Commission. There is on most

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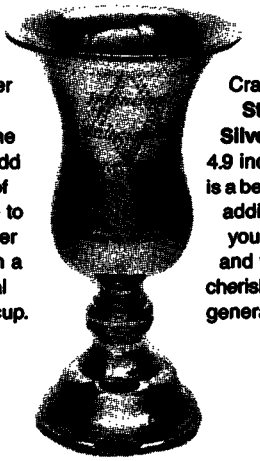

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issues a free-market majority based around Frans Andriessen, the Commissioner for External Relations, Sir Leon Brittan, the Commissioner for Competition Policy, and Martin Bangemann, the Commissioner for Industrial Policy and the Internal Market, reinforced by the largely free-market instincts of their officials. On many disputes within the Commission, the free-market cause has succeeded. An example is the dropping of the proposal for a withholding tax (which had never been popular with the Commission).

Fifthly, Mr. Szamuely rightly warns against the Europe that Delors wishes to create with his "fundamental charter of social rights." However, he misrepresents by suggesting that "the Commission has taken upon itself to push through the kind of agenda that most Europeans have rejected in recent national elections." In fact, the pressures for a social-rights Europe have come as much if not more from the national governments as from Delors. It is regrettable that those governments fail to recognize that achieving this goal would undermine the international competitiveness of European industry, increase costs, and reduce employment. Nonetheless, it is most of the democratically elected national governments which favor such a direction. Bad though the European Charter of Social Rights is, its effects should not be exaggerated. It is a declaratory statement which has no binding effect. Considering the difficulties of achieving the implementation of Commission regulations and directives even when the obligations are mandatory, we should not be surprised if its effects are limited.

Finally, Mr. Szamuely rightly warns against the dangers of Gorbomania. However, he does not recognize that the attraction of 1992 for Eastern Europe is precisely that it demonstrates again the success of free markets over command ones. The year 1992 could be an important magnet to draw Eastern Europe in a free-market direction. . . . Mr. Szamuely expresses concern over a Europe "from the Urals to the Atlantic," yet if that Europe is free, democratic, and Western, such a prospect should be welcomed. There is little reason to believe that Western Europe would be willing to surrender its economic and political traditions in return for some deal with the Soviets.

The Atlantic relationship has always been subject to strains and difficulties. Mr. Szamuely . . . is right in warning of the dangers, but not in concluding that they are unavoidable, or even that they offer the most likely scenario. A more likely prospect for 1992 and after is a Europe that is more prosperous, more open to U.S. goods and investment, more conscious of the benefits of free markets, better able to defend itself, and more active in promoting the removal of non-tariff barriers in the world trading system. History will judge which of these scenarios proves to be correct.

NIGEL ASHFORD
Heritage Foundation
Washington, D.C.

TO THE EDITOR OF COMMENTARY:

In "The Politics of 1992" George Szamuely sounds a timely warning about the prospects for a corporatist and socialist Europe as the consequences of the Single European Act of 1985 are worked through.

It is important to be aware of the dangers which could ensue if Europe takes a socialist road, but it is also worthwhile to distinguish among the various issues. The French have been pushing greater economic and monetary union to try and "tie in" the West Germans to Western Europe as Gorbachev sweet-talks Europe about his vision of "a common European home." Given the French experience in two world wars, this is quite understandable.

Even as I write, the people of Eastern Europe are rejecting Communism throughout the region and Gorbachev can do little to stop the process. These upheavals are likely to force the EC to recast its timetable for greater economic and political unity as other countries, including those in Eastern Europe, apply for membership. Eastern Europe is in such an economic mess that it would take at least a decade for any country from that group to adjust. Thus a breathing space is ensured for consideration of the political and economic future of Europe.

Because the immediate future is so uncertain, security issues are paramount and must be given greater prominence than the immediate economic problems facing Gorbachev. What would happen, for example, if the pressure for reform in the Baltic states or the Ukraine should lead to a demand for complete independence from the Soviet Union?

The stabilizing influence of NATO and the presence of U.S. forces in the region cannot be overestimated at this time. It may not be possible to keep West Germany (or a unified Germany) in NATO, but the British and French could insist that Germany, unified or not, sign a common defense treaty similar to the Western European Union treaty. Also, no application to join the EC should be entertained from a country that is a member of the Warsaw Pact. We can make the economic success of the EC work for us; Gorbachev is playing a very weak hand.

Mrs. Thatcher struck the right note in her 1988 Bruges speech. There has been a danger of "coercive federalism" in the EC but it is unrealizable and other governments in Europe are slowly beginning to see this also. There is still a strong hope that the future of Europe will be based on economic freedom and decentralized political structures.

ROGER FOX
London, England

GEORGE SZAMUELY writes:

I find Nigel Ashford's letter a little baffling. I did not question the program of implementing the completion of the European internal market, though I do think that it should have been accomplished decades ago. My article dealt with the corporatist-protectionist character of the post-1992 European Community and how that will affect its relations with the rest of the world. Mr. Ashford seems to concede most of my points but then dismisses them because they are "exaggerated" and because, anyway, the EC is not really to blame.

First things first. Leaving aside the issue of 1992 for the moment, the EC has from its inception been nothing if not protectionist. Until recently, the Common Agricultural Policy was its proudest achievement. (Incidentally, that program itself was originally presented solely as a means of securing the liberalization of internal trade in agricultural products within the EC.) There is not the slightest evidence that the EC has suddenly undergone a change of heart. On the contrary, the recent directives on beef hormones and on local European content for television programs show just how "strongly committed to free trade" the EC

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and its executive, the European Commission, really are. Today the Commission impedes a vast range of imports either by direct imposition of anti-dumping duties or by the threat of such duties to obtain voluntary export restraints. According to economist Brian Hindley, "The [European] Commission's new methods . . . enable it to find 'dumping' unless the price in the EC market is substantially higher than the price charged on the home market."

To return to 1992: Mr. Ashford declares that "increased wealth is not a zero-sum game where gains for Western Europe are at the expense of the U.S." I quite agree. I only wish that more people in the Commission were of that opinion. Otherwise, we would surely not have got the product-standards-setting process. That process was established by the Single European Act of 1985 and ensures the absence of outside observers during the negotiations. This means that not only are U.S. firms unable to influence the outcome of a particular standard, but—in the words of a recently published report on the 1992 project from the House Subcommittee on International Economic Policy and Trade—they may not even have enough time to respond "to new European standards . . . while European firms may have already redesigned their products based on the information they obtain on a daily basis." Problems of a similar sort arise with the local-content and rule-of-origin restrictions that the Commission has established whereby products or components thereof must have a minimum European component to be eligible for government-procurement preferences and to avoid being subject to anti-dumping duties.

Mr. Ashford is right to say that the pressure for protectionism is coming from national governments. But the way the Commission works ensures that these governments usually get their way: Community-wide export restraints are imposed which meet the wishes of the worst of the protectionists. Moreover, there is considerable doubt throughout the world as to what the Europeans mean by the term "reciprocity" that has been bandied about so frequently. Without going into the details, one can say that it remains, at the least, an open question whether these new arrangements will be used as a means of opening up markets or, on the contrary, as an excuse to close them.

Mr. Ashford seems to be at one and the same time euphoric that "the free-market cause" is succeeding, gloomy about the effects of the European Charter of Social Rights, and yet again sanguine about the unimportance of a purely "declaratory statement which has no binding effect." Gloominess is probably more in order, for this charter will serve as the basis for many directives, decisions, ordinances, and laws which will then be enforced by the national industrial courts and the European Court of Justice.

Mr. Ashford believes that the Europe of 1992 will "draw Eastern Europe in a free-market direction." It may, but these countries too might have problems with a "social charter" whose consequence will be that far less investment will be directed toward them than would otherwise have been the case. Hungarians and Poles might also wonder why they will not be able to buy cheap Japanese cars, televisions, and VCR's, or watch American soap operas. Finally, Mr. Ashford dismisses the notion that "Western Europe would be willing to surrender its economic and political traditions in return for some deal with the Soviets." I did not, of course, suggest that it intended to do any such thing. I am concerned, though, that in their eagerness to exploit the natural resources of the Soviet Union as well as to avail themselves of the markets of the Soviet bloc, the countries of the European Community will not be averse to perpetuating the continued existence of an unreformed, undemocratic Soviet Union with all the dangers that this might entail

I quite agree with Roger Fox that now is neither the time for pressing ahead with closer political, economic, and monetary integration, nor the time to be entertaining the prospect of the immediate entry into the EC of Eastern European countries whose economies are still largely under state control.

The UN

To the Editor of Commentary:

In his otherwise incisive review of my book, *A Mandate for Terror: The UN and the PLO* [Books in Review, October 1989], Allan Gerson errs in describing the chapter on Fidel Castro as the "main example" of "the international consequences of the UN-PLO 'interaction.'" It is in fact one of three chapters dealing not with consequences but with the various reasons—most having little to do with the Middle East—that UN members give unconditional support to the PLO. An earlier chapter deals with the justifications which they offer for their support for the PLO.

Mr. Gerson cites the Castro chapter because, based on his experiences at the UN during the early 1980's, he finds fault with my commitment to UN reform. But since he left, the United States has managed to push through a measure of reform in the fiscal and administrative areas. Peacekeeping has emerged with stronger adherents and important new tasks. And . . . the General Assembly appears likely to adopt a resolution which "unequivocally condemns, as criminal and unjustifiable under any circumstances, all acts, methods, and practices of terrorism, wherever and by whomsoever committed."

Nevertheless, the most significant test of UN reform is yet to come. It will consist of a vote on a measure to cancel the libelous General Assembly resolution which in 1975 equated Zionism with racism and racial discrimination and, as a result, hobbled UN efforts to combat real forms of racism and racial discrimination, gave terrorists a new mandate for their outrages, and caused many to dismiss the UN as the gathering place of mad-hatters who may next declare that slavery is freedom.

This year, for the first time, a number of states, including Italy, Australia, the United States, and Israel, spoke in the General Assembly to this issue, while outside the UN, foreign ministers from Eastern Europe and Latin America, including former president of the General Assembly Dante Caputo of Argentina, added their voices to the call for repeal.

When this call comes before the Assembly for a vote, we will see for sure whether genuinely significant UN reform is achievable. Until that time, it would be premature to deny its possibility.

Harris O. Schoenberg
New York City

Allan Gerson writes:

If the Berlin Wall can fall, I suppose the UN could repeal the Zionism-is-racism resolution, but

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don't hold your breath. Change comes last to the United Nations.

A better way to deal with the resolution would be, as I have suggested, to seek unilateral declarations from the United States and other governments, and from the UN Secretariat, declaring it null and void as having gone beyond the permissible mandate of the UN Charter. The appropriate subject of condemnatory UN resolutions is state conduct—e.g., specifically defined practices of states susceptible of judgment by applicable standards. Zionism falls short of this criterion on two counts: (1) as a *national-liberation movement (if* that is what is being condemned) it became defunct through the realization of its ambitions—i.e., the creation of the state of Israel; (2) as an ongoing practice, it was never clear what acts were being attacked, and how Israel's conduct ostensibly departed from any universal standard.

In any event, I laud Harris O. Schoenberg's efforts on behalf of charter reform; I do not deride them. I would only have him keep in mind, as his excellent book comprehensively documents, that it was not the PLO which "hijacked" the United Nations, but rather the United Nations—through a majority of its member-states—which hijacked itself. Any thoughts about the cavalry coming to the rescue might benefit from more attention to the question of who it is that would be rescued.

Britain

TO THE EDITOR OF COMMENTARY:

John O'Sullivan's description of the Left's paranoia about Margaret Thatcher is keen ["Britain: Under the Iron (High) Heel?," September 1989]. His reference to the Irish precedent for her ban on IRA spokesmen on British television is, however, incomplete. The ban covers only direct speech by these salesmen for terrorism. It has been circumvented in a number of ways, including quotation, the use of printing on the screen, and in one case deliberately designed by the BBC to mock Mrs. Thatcher, the use of a dubbed Northern Irish voice which was lip-synched to the spokesman.

The fact that the British media now treat terrorists with a bit more circumspection is due largely to public anger at a decade of seeing these murderers portrayed both by the BBC and ITV as a species of simple opposition to the government of the day, and to a general climate of popular hostility to arrogant media journalists.

There was a more useful precedent for the British ban, which has never, so far as I know, been discussed by the media either in Britain or the United States. This occurred in Canada in 1970, when the *Front de Libération Québecois* (FLQ) terrorists kidnapped a British trade commissioner and murdered a Canadian minister. Prime Minister Pierre Trudeau slapped a genuine ban on appearances and propaganda by the FLQ and its spokesmen. Canadian journalists boiled over with righteous indignation, uttering the usual platitudes about totalitarianism and the end of democracy. The FLQ did not survive the ban, although Canadian democracy did, easily. A certain amount of damage was also done to the *amour-propre* of many self-righteous journalists, but democracy may have been a little healthier for that.

Finally, those who saw my letter in the October 1989 COMMENTARY on British reaction to the Rushdie affair will realize that Mr. O'Sullivan's picture of Britain as the safe haven of liberty and tolerance is rather overdrawn. During the fuss over *The Satanic Verses* many important public figures, including members of Parliament, the Chief Rabbi, the anti-Israel writer Roald Dahl, and others, spoke out in favor of censorship and appealed for more trimming to accommodate the "sensibilities" of Islam and, indeed, of any religious group that might take offense at published matter. Since my letter was published, one bookshop has been bombed, others attacked with incendiary devices, and militant Muslims continue to break public-order laws with impunity. Penguin is under pressure not to publish a paperback edition of *The Satanic Verses* and it is far from certain that it will not give in to this pressure.

HERB GREER

Manchester, England

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Against the Legalization of Drugs

James Q. Wilson

In 1972, the President appointed me chairman of the National Advisory Council for Drug Abuse Prevention. Created by Congress, the Council was charged with providing guidance on how best to coordinate the national war on drugs. (Yes, we called it a war then, too.) In those days, the drug we were chiefly concerned with was heroin. When I took office, heroin use had been increasing dramatically. Everybody was worried that this increase would continue. Such phrases as "heroin epidemic" were commonplace.

That same year, the eminent economist Milton Friedman published an essay in *Newsweek* in which he called for legalizing heroin. His argument was on two grounds: as a matter of ethics, the government has no right to tell people not to use heroin (or to drink or to commit suicide); as a matter of economics, the prohibition of drug use imposes costs on society that far exceed the benefits. Others, such as the psychoanalyst Thomas Szasz, made the same argument.

We did not take Friedman's advice. (Government commissions rarely do.) I do not recall that we even discussed legalizing heroin, though we did discuss (but did not take action on) legalizing a drug, cocaine, that many people then argued was benign. Our marching orders were to figure out how to win the war on heroin, not to run up the white flag of surrender.

That was 1972. Today, we have the same number of heroin addicts that we had then—half a million, give or take a few thousand. Having that many heroin addicts is no trivial matter; these people deserve our attention. But not having had an increase in that number for over fifteen years is also something that deserves our attention. What happened to the "heroin epidemic" that many people once thought would overwhelm us?

The facts are clear: a more or less stable pool of heroin addicts has been getting older, with relatively few new recruits. In 1976 the average age of heroin users who appeared in hospital emergency rooms was about twenty-seven; ten years later it was thirty-two. More than two-thirds of all heroin users appearing in emergency rooms are now over the age of thirty. Back in the early 1970's, when heroin got onto the national political agenda, the typical heroin addict was much younger, often a teenager. Household surveys show the same thing—the rate of opiate use (which includes heroin) has been flat for the better part of two decades. More fine-grained studies of inner-city neighborhoods confirm this. John Boyle and Ann Brunswick found that the percentage of young blacks in Harlem who used heroin fell from 8 percent in 1970-71 to about 3 percent in 1975-76.

Why did heroin lose its appeal for young people? When the young blacks in Harlem were asked why they stopped, more than half mentioned "trouble with the law" or "high cost" (and high cost is, of course, directly the result of law enforcement). Two-thirds said that heroin hurt their health; nearly all said they had had a bad experience with it. We need not rely, however, simply on what they said. In New York City in 1973-75, the street price of heroin rose dramatically and its purity sharply declined, probably as a result of the heroin shortage caused by the success of the Turkish government in reducing the supply of opium base and of the French government in closing down heroin-processing laboratories located in and around Marseilles. These were short-lived gains for, just as Friedman predicted, alternative sources of supply—mostly in Mexico—quickly emerged. But the three-year heroin shortage interrupted the easy recruitment of new users.

Health and related problems were no doubt part of the reason for the reduced flow of recruits. Over the preceding years, Harlem youth had watched as more and more heroin users died of overdoses, were poisoned by adulterated doses, or acquired hepatitis from dirty needles. The word got around: heroin can kill you. By 1974 new hepatitis cases and drug-overdose deaths had dropped to a fraction of what they had been in 1970.

Alas, treatment did not seem to explain much of the cessation in drug use. Treatment programs can and do help heroin addicts, but treatment did not explain the drop in the number of *new* users

James Q. Wilson, Collins Professor of Management and Public Policy at UCLA, is the author of *Thinking About Crime* and co-author (with Richard Herrnstein) of *Crime and Human Nature*. His latest book, *Bureaucracy*, has recently been published by Basic Books.

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(who by definition had never been in treatment) nor even much of the reduction in the number of experienced users.

No one knows how much of the decline to attribute to personal observation as opposed to high prices or reduced supply. But other evidence suggests strongly that price and supply played a large role. In 1972 the National Advisory Council was especially worried by the prospect that U.S. servicemen returning to this country from Vietnam would bring their heroin habits with them. Fortunately, a brilliant study by Lee Robins of Washington University in St. Louis put that fear to rest. She measured drug use of Vietnam veterans shortly after they had returned home. Though many had used heroin regularly while in Southeast Asia, most gave up the habit when back in the United States. The reason: here, heroin was less available and sanctions on its use were more pronounced. Of course, if a veteran had been willing to pay enough—which might have meant traveling to another city and would certainly have meant making an illegal contact with a disreputable dealer in a threatening neighborhood in order to acquire a (possibly) dangerous dose—he could have sustained his drug habit. Most veterans were unwilling to pay this price, and so their drug use declined or disappeared.

Reliving the Past

Suppose we had taken Friedman's advice in 1972. What would have happened? We cannot be entirely certain, but at a minimum we would have placed the young heroin addicts (and, above all, the prospective addicts) in a very different position from the one in which they actually found themselves. Heroin would have been legal. Its price would have been reduced by 95 percent (minus whatever we chose to recover in taxes.) Now that it could be sold by the same people who make aspirin, its quality would have been assured—no poisons, no adulterants. Sterile hypodermic needles would have been readily available at the neighborhood drugstore, probably at the same counter where the heroin was sold. No need to travel to big cities or unfamiliar neighborhoods—heroin could have been purchased anywhere, perhaps by mail order.

There would no longer have been any financial or medical reason to avoid heroin use. Anybody could have afforded it. We might have tried to prevent children from buying it, but as we have learned from our efforts to prevent minors from buying alcohol and tobacco, young people have a way of penetrating markets theoretically reserved for adults. Returning Vietnam veterans would have discovered that Omaha and Raleigh had been converted into the pharmaceutical equivalent of Saigon.

Under these circumstances, can we doubt for a moment that heroin use would have grown exponentially? Or that a vastly larger supply of new users would have been recruited? Professor Friedman is a Nobel Prize-winning economist whose understanding of market forces is profound. What did he think would happen to consumption under his legalized regime? Here are his words: "Legalizing drugs might increase the number of addicts, but it is not clear that it would. Forbidden fruit is attractive, particularly to the young."

Really? I suppose that we should expect no increase in Porsche sales if we cut the price by 95 percent, no increase in whiskey sales if we cut the price by a comparable amount—because young people only want fast cars and strong liquor when they are "forbidden." Perhaps Friedman's uncharacteristic lapse from the obvious implications of price theory can be explained by a misunderstanding of how drug users are recruited. In his 1972 essay he said that "drug addicts are deliberately made by pushers, who give likely prospects their first few doses free." If drugs were legal it would not pay anybody to produce addicts, because everybody would buy from the cheapest source. But as every drug expert knows, pushers do not produce addicts. Friends or acquaintances do. In fact, pushers are usually reluctant to deal with non-users because a non-user could be an undercover cop. Drug use spreads in the same way any fad or fashion spreads: somebody who is already a user urges his friends to try, or simply shows already-eager friends how to do it.

But we need not rely on speculation, however plausible, that lowered prices and more abundant supplies would have increased heroin usage. Great Britain once followed such a policy and with almost exactly those results. Until the mid-1960's, British physicians were allowed to prescribe heroin to certain classes of addicts. (Possessing these drugs without a doctor's prescription remained a criminal offense.) For many years this policy worked well enough because the addict patients were typically middle-class people who had become dependent on opiate painkillers while undergoing hospital treatment. There was no drug culture. The British system worked for many years, not because it prevented drug abuse, but because there was no problem of drug abuse that would test the system.

All that changed in the 1960's. A few unscrupulous doctors began passing out heroin in wholesale amounts. One doctor prescribed almost 600,000 heroin tablets—that is, over thirteen pounds—in just one year. A youthful drug culture emerged with a demand for drugs far different from that of the older addicts. As a result, the British government required doctors to refer users to government-run clinics to receive their heroin.

But the shift to clinics did not curtail the growth in heroin use. Throughout the 1960's the number

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of addicts increased—the late John Kaplan of Stanford estimated by fivefold—in part as a result of the diversion of heroin from clinic patients to new users on the streets. An addict would bargain with the clinic doctor over how big a dose he would receive. The patient wanted as much as he could get, the doctor wanted to give as little as was needed. The patient had an advantage in this conflict because the doctor could not be certain how much was really needed. Many patients would use some of their "maintenance" dose and sell the remaining part to friends, thereby recruiting new addicts. As the clinics learned of this, they began to shift their treatment away from heroin and toward methadone, an addictive drug that, when taken orally, does not produce a "high" but will block the withdrawal pains associated with heroin abstinence.

Whether what happened in England in the 1960's was a mini-epidemic or an epidemic depends on whether one looks at numbers or at rates of change. Compared to the United States, the numbers were small. In 1960 there were 68 heroin addicts known to the British government; by 1968 there were 2,000 in treatment and many more who refused treatment. (They would refuse in part because they did not want to get methadone at a clinic if they could get heroin on the street.) Richard Hartnoll estimates that the actual number of addicts in England is five times the number officially registered. At a minimum, the number of British addicts increased by thirtyfold in ten years; the actual increase may have been much larger.

In the early 1980's the numbers began to rise again, and this time nobody doubted that a real epidemic was at hand. The increase was estimated to be 40 percent a year. By 1982 there were thought to be 20,000 heroin users in London alone. Geoffrey Pearson reports that many cities—Glasgow, Liverpool, Manchester, and Sheffield among them—were now experiencing a drug problem that once had been largely confined to London. The problem, again, was supply. The country was being flooded with cheap, high-quality heroin, first from Iran and then from Southeast Asia.

The United States began the 1960's with a much larger number of heroin addicts and probably a bigger at-risk population than was the case in Great Britain. Even though it would be foolhardy to suppose that the British system, if installed here, would have worked the same way or with the same results, it would be equally foolhardy to suppose that a combination of heroin available from leaky clinics and from street dealers who faced only minimal law-enforcement risks would not have produced a much greater increase in heroin use than we actually experienced. My guess is that if we had allowed either doctors or clinics to prescribe heroin, we would have had far worse results than were produced in Britain, if for no other reason than the vastly larger number of addicts with which we began. We would have had to find some way to police thousands (not scores) of physicians and hundreds (not dozens) of clinics. If the British civil service found it difficult to keep heroin in the hands of addicts and out of the hands of recruits when it was dealing with a few hundred people, how well would the American civil service have accomplished the same tasks when dealing with tens of thousands of people?

Back to the Future

Now cocaine, especially in its potent form, crack, is the focus of attention. Now as in 1972 the government is trying to reduce its use. Now as then some people are advocating legalization. Is there any more reason to yield to those arguments today than there was almost two decades ago?*

I think not. If we had yielded in 1972 we almost certainly would have had today a permanent population of several million, not several hundred thousand, heroin addicts. If we yield now we will have a far more serious problem with cocaine.

Crack is worse than heroin by almost any measure. Heroin produces a pleasant drowsiness and, if hygienically administered, has only the physical side effects of constipation and sexual impotence. Regular heroin use incapacitates many users, especially poor ones, for any productive work or social responsibility. They will sit nodding on a street corner, helpless but at least harmless. By contrast, regular cocaine use leaves the user neither helpless nor harmless. When smoked (as with crack) or injected, cocaine produces instant, intense, and short-lived euphoria. The experience generates a powerful desire to repeat it. If the drug is readily available, repeat use will occur. Those people who progress to "bingeing" on cocaine become devoted to the drug and its effects to the exclusion of almost all other considerations—job, family, children, sleep, food, even sex. Dr. Frank Gawin at Yale and Dr. Everett Ellinwood at Duke report that a substantial percentage of all high-dose, binge users become uninhibited, impulsive, hypersexual, compulsive, irritable, and hyperactive. Their moods vacillate dramatically, leading at times to violence and homicide.

Women are much more likely to use crack than heroin, and if they are pregnant, the effects on their babies are tragic. Douglas Besharov, who has been following the effects of drugs on infants for

* I do not here take up the question of marijuana. For a variety of reasons—its widespread use and its lesser tendency to addict—it presents a different problem from cocaine or heroin. For a penetrating analysis, see Mark Kleiman, *Marijuana: Costs of Abuse, Costs of Control* (Greenwood Press, 217 pp., $37.95).

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twenty years, writes that nothing he learned about heroin prepared him for the devastation of cocaine. Cocaine harms the fetus and can lead to physical deformities or neurological damage. Some crack babies have for all practical purposes suffered a disabling stroke while still in the womb. The long-term consequences of this brain damage are lowered cognitive ability and the onset of mood disorders. Besharov estimates that about 30,000 to 50,000 such babies are born every year, about 7,000 in New York City alone. There may be ways to treat such infants, but from everything we now know the treatment will be long, difficult, and expensive. Worse, the mothers who are most likely to produce crack babies are precisely the ones who, because of poverty or temperament, are least able and willing to obtain such treatment. In fact, anecdotal evidence suggests that crack mothers are likely to abuse their infants.

The notion that abusing drugs such as cocaine is a "victimless crime" is not only absurd but dangerous. Even ignoring the fetal drug syndrome, crack-dependent people are, like heroin addicts, individuals who regularly victimize their children by neglect, their spouses by improvidence, their employers by lethargy, and their coworkers by carelessness. Society is not and could never be a collection of autonomous individuals. We all have a stake in ensuring that each of us displays a minimal level of dignity, responsibility, and empathy. We cannot, of course, coerce people into goodness, but we can and should insist that some standards must be met if society itself—on which the very existence of the human personality depends—is to persist. Drawing the line that defines those standards is difficult and contentious, but if crack and heroin use do not fall below it, what does?

The advocates of legalization will respond by suggesting that my picture is overdrawn. Ethan Nadelmann of Princeton argues that the risk of legalization is less than most people suppose. Over 20 million Americans between the ages of eighteen and twenty-five have tried cocaine (according to a government survey), but only a quarter million use it daily. From this Nadelmann concludes that at most 3 percent of all young people who try cocaine develop a problem with it. The implication is clear: make the drug legal and we only have to worry about 3 percent of our youth.

The implication rests on a logical fallacy and a factual error. The fallacy is this: the percentage of occasional cocaine users who become binge users *when the drug is illegal* (and thus expensive and hard to find) tells us nothing about the percentage who will become dependent when the drug is legal (and thus cheap and abundant). Drs. Gawin and Ellinwood report, in common with several other researchers, that controlled or occasional use of cocaine changes to compulsive and frequent use "when access to the drug increases" or when the user switches from snorting to smoking. More cocaine more potently administered alters, perhaps sharply, the proportion of "controlled" users who become heavy users.

The factual error is this: the federal survey Nadelmann quotes was done in 1985, *before* crack had become common. Thus the probability of becoming dependent on cocaine was derived from the responses of users who snorted the drug. The speed and potency of cocaine's action increases dramatically when it is smoked. We do not yet know how greatly the advent of crack increases the risk of dependency, but all the clinical evidence suggests that the increase is likely to be large.

It is possible that some people will not become heavy users even when the drug is readily available in its most potent form. So far there are no scientific grounds for predicting who will and who will not become dependent. Neither socioeconomic background nor personality traits differentiate between casual and intensive users. Thus, the only way to settle the question of who is correct about the effect of easy availability on drug use, Nadelmann or Gawin and Ellinwood, is to try it and see. But that social experiment is so risky as to be no experiment at all, for if cocaine is legalized and if the rate of its abusive use increases dramatically, there is no way to put the genie back in the bottle, and it is not a kindly genie.

Have We Lost?

MANY people who agree that there are risks in legalizing cocaine or heroin still favor it because, they think, we have lost the war on drugs. "Nothing we have done has worked" and the current federal policy is just "more of the same." Whatever the costs of greater drug use, surely they would be less than the costs of our present, failed efforts.

That is exactly what I was told in 1972—and heroin is not quite as bad a drug as cocaine. We did not surrender and we did not lose. We did not win, either. What the nation accomplished then was what most efforts to save people from themselves accomplish: the problem was contained and the number of victims minimized, all at a considerable cost in law enforcement and increased crime. Was the cost worth it? I think so, but others may disagree. What are the lives of would-be addicts worth? I recall some people saying to me then, "Let them kill themselves." I was appalled. Happily, such views did not prevail.

Have we lost today? Not at all. High-rate cocaine use is not commonplace. The National Institute of Drug Abuse (NIDA) reports that less than 5 percent of high-school seniors used cocaine within the last thirty days. Of course this survey

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misses young people who have dropped out of school and miscounts those who lie on the questionnaire, but even if we inflate the NIDA estimate by some plausible percentage, it is still not much above 5 percent. Medical examiners reported in 1987 that about 1,500 died from cocaine use; hospital emergency rooms reported about 30,000 admissions related to cocaine abuse.

These are not small numbers, but neither are they evidence of a nationwide plague that threatens to engulf us all. Moreover, cities vary greatly in the proportion of people who are involved with cocaine. To get city-level data we need to turn to drug tests carried out on arrested persons, who obviously are more likely to be drug users than the average citizen. The National Institute of Justice, through its Drug Use Forecasting (DUF) project, collects urinalysis data on arrestees in 22 cities. As we have already seen, opiate (chiefly heroin) use has been flat or declining in most of these cities over the last decade. Cocaine use has gone up sharply, but with great variation among cities. New York, Philadelphia, and Washington, D.C., all report that two-thirds or more of their arrestees tested positive for cocaine, but in Portland, San Antonio, and Indianapolis the percentage was one-third or less.

In some neighborhoods, of course, matters have reached crisis proportions. Gangs control the streets, shootings terrorize residents, and drug-dealing occurs in plain view. The police seem barely able to contain matters. But in these neighborhoods—unlike at Palo Alto cocktail parties—the people are not calling for legalization, they are calling for help. And often not much help has come. Many cities are willing to do almost anything about the drug problem except spend more money on it. The federal government cannot change that; only local voters and politicians can. It is not clear that they will.

It took about ten years to contain heroin. We have had experience with crack for only about three or four years. Each year we spend perhaps $11 billion on law enforcement (and some of that goes to deal with marijuana) and perhaps $2 billion on treatment. Large sums, but not sums that should lead anyone to say, "We just can't afford this any more."

The illegality of drugs increases crime, partly because some users turn to crime to pay for their habits, partly because some users are stimulated by certain drugs (such as crack or PCP) to act more violently or ruthlessly than they otherwise would, and partly because criminal organizations seeking to control drug supplies use force to manage their markets. These also are serious costs, but no one knows how much they would be reduced if drugs were legalized. Addicts would no longer steal to pay black-market prices for drugs, a real gain. But some, perhaps a great deal, of that gain would be offset by the great increase in the number of addicts. These people, nodding on heroin or living in the delusion-ridden high of cocaine, would hardly be ideal employees. Many would steal simply to support themselves, since snatch-and-grab, opportunistic crime can be manged even by people unable to hold a regular job or plan an elaborate crime. Those British addicts who get their supplies from government clinics are not models of law-abiding decency. Most are in crime, and though their per-capita rate of criminality may be lower thanks to the cheapness of their drugs, the total volume of crime they produce may be quite large. Of course, society could decide to support all unemployable addicts on welfare, but that would mean that gains from lowered rates of crime would have to be offset by large increases in welfare budgets.

Proponents of legalization claim that the costs of having more addicts around would be largely if not entirely offset by having more money available with which to treat and care for them. The money would come from taxes levied on the sale of heroin and cocaine.

To obtain this fiscal dividend, however, legalization's supporters must first solve an economic dilemma. If they want to raise a lot of money to pay for welfare and treatment, the tax rate on the drugs will have to be quite high. Even if they themselves do not want a high rate, the politicians' love of "sin taxes" would probably guarantee that it would be high anyway. But the higher the tax, the higher the price of the drug, and the higher the price the greater the likelihood that addicts will turn to crime to find the money for it and that criminal organizations will be formed to sell tax-free drugs at below-market rates. If we managed to keep taxes (and thus prices) low, we would get that much less money to pay for welfare and treatment and more people could afford to become addicts. There may be an optimal tax rate for drugs that maximizes revenue while minimizing crime, bootlegging, and the recruitment of new addicts, but our experience with alcohol does not suggest that we know how to find it.

The Benefits of Illegality

The advocates of legalization find nothing to be said in favor of the current system except, possibly, that it keeps the number of addicts smaller than it would otherwise be. In fact, the benefits are more substantial than that.

First, treatment. All the talk about providing "treatment on demand" implies that there is a demand for treatment. That is not quite right. There are some drug-dependent people who genuinely want treatment and will remain in it if offered; they should receive it. But there are far more who want only short-term help after a bad crash; once stabilized and bathed, they are back

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on the street again, hustling. And even many of the addicts who enroll in a program honestly wanting help drop out after a short while when they discover that help takes time and commitment. Drug-dependent people have very short time horizons and a weak capacity for commitment. These two groups—those looking for a quick fix and those unable to stick with a long-term fix—are not easily helped. Even if we increase the number of treatment slots—as we should—we would have to do something to make treatment more effective.

One thing that can often make it more effective is compulsion. Douglas Anglin of UCLA, in common with many other researchers, has found that the longer one stays in a treatment program, the better the chances of a reduction in drug dependency. But he, again like most other researchers, has found that drop-out rates are high. He has also found, however, that patients who enter treatment under legal compulsion stay in the program longer than those not subject to such pressure. His research on the California civil-commitment program, for example, found that heroin users involved with its required drug-testing program had over the long term a lower rate of heroin use than similar addicts who were free of such constraints. If for many addicts compulsion is a useful component of treatment, it is not clear how compulsion could be achieved in a society in which purchasing, possessing, and using the drug were legal. It could be managed, I suppose, but I would not want to have to answer the challenge from the American Civil Liberties Union that it is wrong to compel a person to undergo treatment for consuming a legal commodity.

Next, education. We are now investing substantially in drug-education programs in the schools. Though we do not yet know for certain what will work, there are some promising leads. But I wonder how credible such programs would be if they were aimed at dissuading children from doing something perfectly legal. We could, of course, treat drug education like smoking education: inhaling crack and inhaling tobacco are both legal, but you should not do it because it is bad for you. That tobacco is bad for you is easily shown; the Surgeon General has seen to that. But what do we say about crack? It is pleasurable, but devoting yourself to so much pleasure is not a good idea (though perfectly legal)? Unlike tobacco, cocaine will not give you cancer or emphysema, but it will lead you to neglect your duties to family, job, and neighborhood? Everybody is doing cocaine, but you should not?

Again, it might be possible under a legalized regime to have effective drug-prevention programs, but their effectiveness would depend heavily, I think, on first having decided that cocaine use, like tobacco use, is purely a matter of practical consequences; no fundamental moral significance attaches to either. But if we believe—as I do—that dependency on certain mind-altering drugs *is* a moral issue and that their illegality rests in part on their immorality, then legalizing them undercuts, if it does not eliminate altogether, the moral message.

That message is at the root of the distinction we now make between nicotine and cocaine. Both are highly addictive; both have harmful physical effects. But we treat the two drugs differently, not simply because nicotine is so widely used as to be beyond the reach of effective prohibition, but because its use does not destroy the user's essential humanity. Tobacco shortens one's life, cocaine debases it. Nicotine alters one's habits, cocaine alters one's soul. The heavy use of crack, unlike the heavy use of tobacco, corrodes those natural sentiments of sympathy and duty that constitute our human nature and make possible our social life. To say, as does Nadelmann, that distinguishing morally between tobacco and cocaine is "little more than a transient prejudice" is close to saying that morality itself is but a prejudice.

The Alcohol Problem

Now we have arrived where many arguments about legalizing drugs begin: is there any reason to treat heroin and cocaine differently from the way we treat alcohol?

There is no easy answer to that question because, as with so many human problems, one cannot decide simply on the basis either of moral principles or of individual consequences; one has to temper any policy by a common-sense judgment of what is possible. Alcohol, like heroin, cocaine, PCP, and marijuana, is a drug—that is, a mood-altering substance—and consumed to excess it certainly has harmful consequences: auto accidents, barroom fights, bedroom shootings. It is also, for some people, addictive. We cannot confidently compare the addictive powers of these drugs, but the best evidence suggests that crack and heroin are much more addictive than alcohol.

Many people, Nadelmann included, argue that since the health and financial costs of alcohol abuse are so much higher than those of cocaine or heroin abuse, it is hypocritical folly to devote our efforts to preventing cocaine or drug use. But as Mark Kleiman of Harvard has pointed out, this comparison is quite misleading. What Nadelmann is doing is showing that a *legalized* drug (alcohol) produces greater social harm than *illegal* ones (cocaine and heroin). But of course. Suppose that in the 1920's we had made heroin and cocaine legal and alcohol illegal. Can anyone doubt that Nadelmann would now be writing that it is folly to continue our ban on alcohol because cocaine and heroin are so much more harmful?

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And let there be no doubt about it—widespread heroin and cocaine use are associated with all manner of ills. Thomas Bewley found that the mortality rate of British heroin addicts in 1968 was 28 times as high as the death rate of the same age group of non-addicts, even though in England at the time an addict could obtain free or low-cost heroin and clean needles from British clinics. Perform the following mental experiment: suppose we legalized heroin and cocaine in this country. In what proportion of auto fatalities would the state police report that the driver was nodding off on heroin or recklessly driving on a coke high? In what proportion of spouse-assault and child-abuse cases would the local police report that crack was involved? In what proportion of industrial accidents would safety investigators report that the forklift or drill-press operator was in a drug-induced stupor or frenzy? We do not know exactly what the proportion would be, but anyone who asserts that it would not be much higher than it is now would have to believe that these drugs have little appeal except when they are illegal. And that is nonsense.

An advocate of legalization might concede that social harm—perhaps harm equivalent to that already produced by alcohol—would follow from making cocaine and heroin generally available. But at least, he might add, we would have the problem "out in the open" where it could be treated as a matter of "public health." That is well and good, *if* we knew how to treat—that is, cure—heroin and cocaine abuse. But we do not know how to do it for all the people who would need such help. We are having only limited success in coping with chronic alcoholics. Addictive behavior is immensely difficult to change, and the best methods for changing it—living in drug-free therapeutic communities, becoming faithful members of Alcoholics Anonymous or Narcotics Anonymous—require great personal commitment, a quality that is, alas, in short supply among the very persons—young people, disadvantaged people—who are often most at risk for addiction.

Suppose that today we had, not 15 million alcohol abusers, but half a million. Suppose that we already knew what we have learned from our long experience with the widespread use of alcohol. Would we make whiskey legal? I do not know, but I suspect there would be a lively debate. The Surgeon General would remind us of the risks alcohol poses to pregnant women. The National Highway Traffic Safety Administration would point to the likelihood of more highway fatalities caused by drunk drivers. The Food and Drug Administration might find that there is a nontrivial increase in cancer associated with alcohol consumption. At the same time the police would report great difficulty in keeping illegal whiskey out of our cities, officers being corrupted by bootleggers, and alcohol addicts often resorting to crime to feed their habit. Libertarians, for their part, would argue that every citizen has a right to drink anything he wishes and that drinking is, in any event, a "victimless crime."

However the debate might turn out, the central fact would be that the problem was still, at that point, a small one. The government cannot legislate away the addictive tendencies in all of us, nor can it remove completely even the most dangerous addictive substances. But it can cope with harms when the harms are still manageable.

Science and Addiction

One advantage of containing a problem while it is still containable is that it buys time for science to learn more about it and perhaps to discover a cure. Almost unnoticed in the current debate over legalizing drugs is that basic science has made rapid strides in identifying the underlying neurological processes involved in some forms of addiction. Stimulants such as cocaine and amphetamines alter the way certain brain cells communicate with one another. That alteration is complex and not entirely understood, but in simplified form it involves modifying the way in which a neurotransmitter called dopamine sends signals from one cell to another.

When dopamine crosses the synapse between two cells, it is in effect carrying a message from the first cell to activate the second one. In certain parts of the brain that message is experienced as pleasure. After the message is delivered, the dopamine returns to the first cell. Cocaine apparently blocks this return, or "reuptake," so that the excited cell and others nearby continue to send pleasure messages. When the exaggerated high produced by cocaine-influenced dopamine finally ends, the brain cells may (in ways that are still a matter of dispute) suffer from an extreme lack of dopamine, thereby making the individual unable to experience any pleasure at all. This would explain why cocaine users often feel so depressed after enjoying the drug. Stimulants may also affect the way in which other neurotransmitters, such as serotonin and noradrenaline, operate.

Whatever the exact mechanism may be, once it is identified it becomes possible to use drugs to block either the effect of cocaine or its tendency to produce dependency. There have already been experiments using desipramine, imipramine, bromocriptine, carbamazepine, and other chemicals. There are some promising results.

Tragically, we spend very little on such research, and the agencies funding it have not in the past occupied very influential or visible posts in the federal bureaucracy. If there is one aspect of the "war on drugs" metaphor that I dislike, it is its tendency to focus attention almost exclusively on the troops in the trenches, whether engaged in enforcement or treatment, and away from the

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research-and-development efforts back on the home front where the war may ultimately be decided.

I believe that the prospects of scientists in controlling addiction will be strongly influenced by the size and character of the problem they face. If the problem is a few hundred thousand chronic, high-dose users of an illegal product, the chances of making a difference at a reasonable cost will be much greater than if the problem is a few million chronic users of legal substances. Once a drug is legal, not only will its use increase but many of those who then use it will prefer the drug to the treatment: they will want the pleasure, whatever the cost to themselves or their families, and they will resist—probably successfully—any effort to wean them away from experiencing the high that comes from inhaling a legal substance.

If I Am Wrong . . .

No one can know what our society would be like if we changed the law to make access to cocaine, heroin, and PCP easier. I believe, for reasons given, that the result would be a sharp increase in use, a more widespread degradation of the human personality, and a greater rate of accidents and violence.

I may be wrong. If I am, then we will needlessly have incurred heavy costs in law enforcement and some forms of criminality. But if I am right, and the legalizers prevail anyway, then we will have consigned millions of people, hundreds of thousands of infants, and hundreds of neighborhoods to a life of oblivion and disease. To the lives and families destroyed by alcohol we will have added countless more destroyed by cocaine, heroin, PCP, and whatever else a basement scientist can invent.

Human character is formed by society; indeed, human character is inconceivable without society, and good character is less likely in a bad society. Will we, in the name of an abstract doctrine of radical individualism, and with the false comfort of suspect predictions, decide to take the chance that somehow individual decency can survive amid a more general level of degradation?

I think not. The American people are too wise for that, whatever the academic essayists and cocktail-party pundits may say. But if Americans today are less wise than I suppose, then Americans at some future time will look back on us now and wonder, what kind of people were they that they could have done such a thing?

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The Making of the Mayor 1989

Scott McConnell

DAVID DINKINS'S election in 1989 as the first black mayor of New York City was treated by the media as a civil-rights story of the old sort—the story of a black candidate who won by overcoming lingering (if diminishing) pockets of white racism. Yet few New Yorkers who went through the campaign saw it quite that way.

For liberals, to be sure, the fact that Dinkins suffered a last-minute drop in the polls and finally won by only a hair in an overwhelmingly Democratic city required a racial explanation. One blunt assessment was offered by Manhattan Assemblyman Mark Alan Siegel: "Healing won out over bigotry by a narrow margin," he said on a post-election television program. Professor Richard Wade of City College added that Dinkins's margin had been held down by "brute race." And at a Washington press conference three days after the vote, Dinkins himself blamed racism for the thinness of his margin of victory.

There was some truth in all these statements. "Healing" was the central theme of the Dinkins campaign; and race is, in one way or another, an often unpleasant fact of life in New York. But in this case, race did not necessarily work to the disadvantage of the black candidate. Race helped Dinkins most obviously in giving him a virtually unassailable base of black support. It also helped insofar as he benefited from the presumption that, as one of his well-heeled white supporters commented in reference to the bands of black teens that were rampaging around the city, he would "get them to cool out." In other words, the healing theme itself was available to Dinkins primarily because he was black.

Healing could only work as a campaign theme if there was a widespread perception that racial wounds were at the heart of the issues facing the city. And while at the opening of the campaign no such perception existed, there was a coterie of black activists who, through violent rhetoric and occasionally violent actions, were doing what they could to foster it.

Calm and deliberate, always measured in his speech, Dinkins profited enormously in the public mind from the gap that separated him from these black radicals. On the other hand, as the campaign progressed, it became clear that Dinkins had ties with at least some of those who were at the forefront of the city's racial agitation. He was thus presenting himself as a healer of wounds which parts of his coalition were doing everything in their power to keep festering.

This was definitely a high-wire act, which could succeed only so long as no one called much attention to it. No one did, at least in a public or sustained manner. By the time the final vote was taken, however, there may well have been the beginnings of an unarticulated protest against this side of the Dinkins effort. It was not a protest against "healing" and not a vote for "bigotry." But it did reflect disillusionment with the process by which the city's media and political elites had unanimously come to endorse David Dinkins as a healer of racial tensions that were not all that central to the city's life before the beginning of his own mayoral campaign.

BEFORE 1989, the key political question for New York's liberals was not whether the city would elect a black mayor, but whether the reign of Edward I. Koch, who had been in office since 1977 and now was completing his third term, would go on forever. But Koch's aura of invincibility began to be punctured during his third term. A number of major municipal corruption scandals involving Koch allies kept his administration off balance. The rise in homelessness and the crack explosion produced a feeling that, for the first time in the decade, conditions in the city were changing for the worse. And, starting in the mid-1980's, there was enough of a rise in racial tension to give Koch's opponents a chance to claim that he was polarizing the city along racial lines.

Many of the arguments between Koch and activists in the black community centered on the police. By any comparative standard, the record of New York's police department was very good, far better (at least in terms of avoiding the use of deadly force in the line of duty) than that of other major American cities. Nevertheless, by the mid-1980's a growing list of blacks had died in police custody or at the hands of police officers. Even though there were explanations for the

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deaths, and usually good ones, those intent on painting New York as a city under the thumb of a racist clique which systematically abused and murdered black people were armed with a list of names. And then the surge in crack use sharply raised the number of people pumped up out of their minds on drugs when they encountered the police, and the list grew longer.

But it was not until the Howard Beach attack, in December 1986, that the black radicals who had made themselves keepers of the list were able to gain a citywide audience for their charges. As with the other incidents, there were ambiguous aspects to the Howard Beach case (in which a group of blacks was set upon by a gang of whites, and in the ensuing chase one black was hit by a car and died), but it was universally interpreted as a straightforward lynching.

Leading the charge were two attorneys, Alton Maddox and C. Vernon Mason, both born in the deep South, who had developed what seemed like a standard *modus operandi* for the political exploitation of racial incidents. They or their clients would make vigorous charges of police brutality or misconduct, or cover-up, and then refuse to cooperate with whatever office was investigating the allegations. This tactic kept the accusations alive while ensuring that they would never be resolved. In the Howard Beach case, the attorneys were able to persuade Governor Mario Cuomo to appoint a special prosecutor, a concession which lent credibility to their charge that the city's regular criminal-justice system was too permeated with racism to dispense justice when blacks were victimized.

Howard Beach seemed to crystallize a new mood, giving life to a black nationalist "Day of Outrage" coalition which carried out several highly disruptive demonstrations around the city—in one instance shutting down the Brooklyn subways during rush hour. A *Daily News* columnist, Earl Caldwell, dubbed New York "Johannesburg on the Hudson"—a comparison often utilized by the radicals. Some talked of demanding "economic and political sanctions" against the city. In the spring of 1987, Benjamin Ward, the city's police commissioner and himself a black, said he thought there was a significant possibility of riots during the summer.

The first sign that the new mood could affect political power in the city came during the 1988 Democratic presidential primary. Mayor Koch, who was supporting the candidacy of Al Gore, took it upon himself to become the first prominent Democrat openly to criticize Jesse Jackson, saying that Jews would be crazy to vote for him, and describing Jackson as a dishonest opportunist for the way he had thrust himself into the limelight after the assassination of Martin Luther King, Jr. in 1968. The attacks backfired, and Koch spent much of the remainder of the year apologizing for the "tone" of his remarks.

Of even greater importance, Jackson, while losing New York to Michael Dukakis, actually won New York City. His campaign accomplished what no local candidacy had ever done: it gained the unified support of virtually all the city's black and Puerto Rican elected officials. More, it demonstrated how much the city's electorate had changed: in the 1977 mayoral race, the last city primary to bring out as many as 900,000 voters, the combined totals for Percy Sutton (the black Manhattan borough president) and Bella Abzug (the left-most figure in the field) amounted to 31 percent. Jackson in 1988 got 45 percent, and the black share of the Democratic primary vote reached 32 percent—nearly double what it had been eleven years before. The political landscape stood transformed; a challenge to Koch from the Left, viewed as futile as late as 1987, suddenly looked entirely plausible.

THE new weight of the black vote within a potential left-wing coalition and the role played by Jesse Jackson in mobilizing previously unregistered black voters planted the nearly irrefutable presumption that a black would have the first call at leading an anti-Koch effort. That pointed to David Dinkins, who had served as co-chairman of Jackson's state-primary effort, and who, as Manhattan borough president, held the highest city office among black elected officials.

Dinkins was a genuinely ambiguous figure. A lawyer and a former Marine, he had married into a political family and joined the well-known Harlem club, the Carver Democrats, home to such prominent figures as Percy Sutton and the psychologist Kenneth Clark. He had served one term in the State Assembly, lost his seat through redistricting, and was about to be appointed deputy mayor by Abraham Beame in 1973 when it emerged that he had not filed city, state, and federal tax returns for the previous four years. Although he never offered a convincing explanation for this fiscal forgetfulness, he was nonetheless appointed to the patronage job of city clerk. He then ran three times for Manhattan borough president, finally winning the post in 1985.

During those races, his opponents (Andrew Stein and Jerry Nadler) called attention to his general lack of significant accomplishment, and Nadler in 1985 raised the "character" question as well—not only Dinkins's tax problems, but also fundraising irregularities in his campaign, Urban Development Corporation contracts given to his associates while he was a UDC board member, and the failure of his campaign to deduct or report on tax and Social Security payments made to campaign workers. In phrasing that would appear nearly verbatim in commercials produced by Rudolph Giuliani's campaign against Dinkins in the mayoral election of 1989, Nadler charged that Din-

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kins "doesn't seem to be able to resist the temptation to cut corners until he's caught."

What Dinkins's white opponents seemed to underestimate was the political credit he gained from being a genuinely personable man. One Democratic activist who had known him for years pointed out that Dinkins led a more racially integrated personal and social life than anyone else in New York politics—not a small asset in a time when there was nostalgia across the political spectrum for the color-blind integrationist dream of the early civil-rights movement. Yet while comfortable with and fully accepted by the city's "permanent establishment" of mostly white lawyers and political fixers, Dinkins was at the same time highly receptive to the more ideological perspectives of the city's Left.

And indeed it was this receptivity which was very much in evidence during Dinkins's term as Manhattan borough president, when he regularly took positions that were well to the left of anyone else on the Board of Estimate. As one of his advisers put it, he conducted his office as a sort of "tribune for the underclass," regularly adopting stands that were identical in all but rhetoric to those both of the city's white Left and of the emerging black-nationalist coalition.

When, for example, allegations of systematic racism in the criminal-justice system became the calling card of the city's black radicals, Dinkins hit the headlines by describing one police action as a "summary execution" and organized a hotline for citizens to make allegations about police brutality. Again, weeks after it became clear that the fifteen-year-old Tawana Brawley and her "advisers" (Alton Maddox, C. Vernon Mason, and the Reverend Al Sharpton) were lying about her alleged rape by whites in upstate New York, Dinkins was still talking about a "brutal racially motivated attack" against the girl, "under circumstances which point to an organized conspiracy." (Dinkins later distanced himself from the Mason-Maddox-Sharpton effort, and a grand jury ultimately found Brawley's charges to be fabricated.) He adopted the extreme activist position on the homeless, arguing against the "prevalent myth" that many of the homeless were mentally ill and socially dysfunctional, and claiming that they were "like other people in every respect except that they have no homes." And he consistently asserted that every social problem facing the city was the fruit of a society in which "inequality and discrimination not only exist but are institutionalized"—a condition best combatted by reasserting the city's commitment to affirmative action.

Dinkins's emergence as one of the city's more ideological politicians was certified in a highly laudatory profile in the *Village Voice* in 1987. The *Voice* took pains to note that on the walls of Dinkins's office, next to photographs of everyone from Gloria Steinem to Stanley Steingut, hung one picture larger than all the others—that of the black entertainer Paul Robeson, whose tragic life singularly embodied the willingness of part of an earlier generation of America's black leaders to embrace Stalinism as the vehicle for their own liberation. By comparison with such stands and loyalties, Dinkins's membership in Michael Harrington's Democratic Socialists of America seemed reassuringly mainstream.

By late 1988, the city's black politicians were united in urging Dinkins to run for mayor. This unity was no small matter: divisions between the black politicians of Harlem and those of Brooklyn had long been an impediment to black political clout in the city. There were considerable differences in style between the two groups: the Harlem politicians tended to have middle-class credentials and professions, something to fall back upon besides the pursuit of political power. Brooklyn was a tougher arena. Many of the leaders there had gotten their start in the confrontational politics of the 1968 New York teachers' strike. Among the Brooklyn activists, anti-Semitic agitation was rarely frowned upon, and a criminal record was not a disqualifying credential. Thus it was highly significant when two black Congressmen and two black Assemblymen from Brooklyn made a November "symbolic river crossing" to Dinkins's office—one of them observing after the fact that Dinkins had credibility not only with the "black establishment" but with the "activist community" as well.

After much hesitation, Dinkins announced his candidacy in February 1989. He inherited all of Jesse Jackson's left-wing and labor support, which immediately gave his campaign more weight and resources than could be commanded by other Koch challengers, the veteran city comptroller Harrison Goldin and the businessman Richard Ravitch. By June it was clear that Dinkins was leading the Democratic field; he was ahead in the polls, and he had the most endorsements (including a nice glitter of celebrity support), the most money, and far and away the strongest backing from the city's unions. This last was a particularly strong point in the wake of the city's newly enacted campaign-finance law, which limited contributions from individuals to $3,000, but placed no restrictions on such "in-kind" contributions as phone banks, polling services, and "education" of a union's membership by its leaders.

Ravitch and Goldin meanwhile seemed to cancel each other out: their respective candidacies, each plausible on its merits, prevented either one of them from emerging as a credible alternative to Koch and Dinkins. Moreover, both devoted practically all their rhetorical energies to attacking Koch. By early summer the mayor was hovering below 30 percent in the polls.

For his part, Dinkins passed the early tests, confounding those who had expected him to

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stumble once the televised debates started. His television demeanor (described by one columnist as "like Babar, proud and slow and kind") was clearly an asset; no politician in the field could bring greater *gravitas* to an indecisive answer. He handled the inevitable tax questions well enough, always thanking the questioner for the opportunity to clear the matter up, repeating in the most sincere of tones that he had been forgetful, had broken no law, would never do it again—and managing to leave viewers with the impression that only the incorrigibly nasty would want to make something out of a minor lapse that had occurred in the distant past.

THERE was next to no ideological content to the Democratic primary: all the candidates were against crime and drugs; all wanted to help people with AIDS and provide shelter to the homeless; none wanted to raise taxes. None of the candidates, least of all Dinkins, was inclined to discuss any of the more extreme stands once taken by the Manhattan borough president. Jesse Jackson kept a safe distance for most of the summer; so long as Dinkins was comfortably ahead, there was no need for him.

As the summer wore on, however, Dinkins ceased to wear so well. His public willingness to "take a look at" getting rid of the Taylor law (the statute which provides stiff penalties for strikes by public employees) gave his rivals their first opportunity to question his qualifications as a prudent potential guardian of the city's public money. A similar opportunity came with Dinkins's assertion that he was opposed even to asking an unwed teenage mother the name of her child's father. And Dinkins did not help his cause by appearing consistently unable to answer how he would pay for the many new social programs he favored.

Koch, in the meantime, began finally to revive. The very act of campaigning seemed to rouse him from the torpor which had shrouded his third term. Although he remained a reviled figure for the city's liberal columnists and cartoonists, the campaign process itself provided him with something like equal time, and when measured against his rivals, he seemed all the stronger.

The argument for Koch went something like this: most of the city's most visible problems—crime, drugs, AIDS, and homelessness—were national ills; under Koch, New York was doing more than any other city to fight them; and he was a tried and true hand who understood how the city government worked. The clincher was that if the city was not to slide once more into bankruptcy, the next mayor would have to take many unpopular stands, and since this would be Koch's final term it would be easier for him to say "no" to the unions at contract time and "no" to the various advocacy groups.

Before the campaign began it had been commonly held that Koch could beat Dinkins only by calling attention to Dinkins's tax problems, or to the widening perception that, as one rival put it, "David Dinkins just isn't up to the job," or to the equally relevant issue of whether Dinkins was, as Koch himself had once described him, a "captive of the Manhattan Left." It was never clear which deterred Koch the more from pursuing such a strategy—the fear of alienating black voters whom he might need in the general election against the Republican-Liberal "fusion" candidate, Rudolph Giuliani, or the scars he still bore from his encounters with Jesse Jackson. In any case, Koch came out gently. His television ads featured man-in-the-street-type interviews with people who described the mayor's accomplishments in strikingly modest terms.

As the primary battle neared its end, this gentle strategy seemed vindicated: Ravitch and Goldin were dead in the water while Dinkins's lead steadily declined. With three weeks to go it appeared better than even money that Koch would win his party's nomination and go on to become the first four-term mayor in the city's history.

Then came Bensonhurst.

BY AUGUST 1989, over two-and-one-half years had passed since the Howard Beach incident, which continued to serve black radicals as the most flagrant and very nearly the only example of white criminal violence against blacks. Indeed, most of the city's crime, racially motivated or (in most instances) not, was committed by young blacks. This was a widely understood but rarely acknowledged truth about New York life—Benjamin Ward, the city's first black police commissioner, being one of the few public officials who dared to address the issue in public. ("We provide the victims, and we provide the perpetrators. Our little secret is out.")

Thus, the murder of Yusuf Hawkins was a crime of unusual character. The victim, a sixteen-year-old black, was walking with three friends through Bensonhurst, a lower-middle-class, predominantly Italian, Brooklyn neighborhood. The group was set upon by a large gang of white teens wielding baseball bats. The whites were apparently lying in wait for some blacks who they thought were attending a party of a neighborhood girl who had jilted one of the gang. One of the whites, a seventeen-year-old school dropout named Joey Fama, allegedly pulled out a gun and shot Yusuf Hawkins twice in the chest, killing him.

The crime would have shocked the city in any event, but because it took place twenty days before the Democratic primary, Bensonhurst became more than a horrible murder. It was turned into a symbolic event, standing for black victimization at the hands of white New York and, by extension, at the hands of Mayor Koch.

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In a somewhat subtle statement David Dinkins said, "I don't want to accuse the mayor or anyone else of causing this. But let me say that the tone and climate of this city does get set at City Hall." Many of Dinkins's allies would not be nearly so ambiguous.

Thus, three days after the shooting, the Reverend Al Sharpton led a march of 250 blacks through the streets of Bensonhurst, chanting "Whose streets? Our streets!" and "No justice, no peace!" Sharpton had a considerable reputation as a buffoon, due primarily to his antics in the Tawana Brawley case, and his group got a hostile reception. Spectators held watermelons aloft, chanted "Where's Tawana?" and "Central Park, Central Park!"—a reference to the woman jogger who had been raped and beaten by a gang of black teens four months earlier. The next day a similar march, led by C. Vernon Mason and several black activist clergymen, got the same kind of reception.

The killing knocked the Koch campaign completely off stride. For weeks the mayor had endeavored to turn the primary into a referendum on competence—stressing his success with the city's budget, the growth in jobs, the number of apartments rehabilitated for the homeless. None of this could compete for public attention with a racial murder. And on the murder, Koch stumbled. His first comment was that the crime was not racially motivated, an observation transparently grounded in political wishful thinking.

The following Monday, at City Hall, Koch compounded his difficulties. At a news conference he condemned the murder in the strongest terms, and characterized as "vileness" the taunts leveled at the marchers by Bensonhurst residents. But he also made the obvious point that marching through Bensonhurst raised racial tensions in the city, saying it would have been equally wrong for whites to march up into Harlem after the rape of the jogger the previous spring. (While there was a certain abstract logic to this point, in the real city there was no way in the world several hundred whites could have been persuaded to stage that kind of militant demonstration in a black neighborhood.) Be that as it may, Koch was roundly jeered for reproaching the marchers, not only by those who led them—the Reverend Timothy Mitchell replied, "I'm sure Bull Connor had a similar attitude"—but by Dinkins and the New York *Times* editorial page.

YUSUF HAWKINS was buried on August 30, six days after his murder. The funeral was apparently organized by Louis Farrakhan, who arrived with a coterie of bodyguards from the Nation of Islam. Jesse Jackson had also flown into town the day before, to attend the wake. While there, he offended the dead youth's father by gesturing toward the coffin and remarking, "That boy lying in there could make David Dinkins the next mayor."

Although Jesse Jackson was not present at the next day's funeral, everyone else was—Governor Mario Cuomo, David Dinkins, and numerous other political dignitaries. Koch came too, braving the taunts of the crowd outside the church. At the service, Farrakhan spoke the longest, and received the most applause: addressing Koch and Cuomo he said, "There is a day coming when power won't be in your hands. Power will be in the hands of the righteous." The Reverend Timothy Mitchell evoked the list of blacks who had died at the hands of the police, adding, "When black children keep getting buried and white children keep feeling justified, then we are doing something wrong." Sharpton said, "The system loaded the gun" and "They're going to pay this time." (Earlier in the week, the film-maker Spike Lee had been more direct, charging that Koch's "finger was on the trigger.") Koch departed from the service early, leaving by a side door and squeezing down a fire escape to avoid the hostile crowd. As the funeral procession, a thousand strong, left the church for its mile-long march to the cemetery, leaflets were circulated calling for another demonstration the next day. Images of anger and mourning were broadcast all over the city, and Jesse Jackson took to the airwaves of WLIB, the black-owned radio station, to declare that "Koch has played the role in New York that George Wallace played in Alabama. . . . Wallace set a climate in which people got hurt and Koch is setting a climate in which people are getting hurt."

Thursday, eight days after the shooting and twelve days before the primary, the hard-core Brooklyn activists took over the issue. Carried at the head of the so-called "Day of Outrage and Mourning" march were mock coffins of Yusuf Hawkins *and* the Black Panther leader Huey Newton, who had just been killed in Oakland in a drug-related incident apparently having nothing to do with race.

The demonstration wove a serpentine path from Brooklyn's Grand Army Plaza down toward the Brooklyn Bridge, gathering followers along the way until some 7,500 people were in the procession. As with the earlier "Day of Outrage" demonstrations called after Howard Beach and after the alleged rape of Tawana Brawley, the organizers refused to inform police of their line of march. Chanting "Whose streets? Our streets!" and "What's coming, war!," the marchers moved down Flatbush Avenue, shouting to onlookers: "If you're not marching with us, you're with the pigs and against us." Skirting police barricades and turning toward the Brooklyn Bridge, they were met by a cordon of police who, in an effort to avoid provocation, were not wearing riot gear. As the marchers approached, picking up bricks and bottles that were strewn along the road, one cop muttered to a reporter, "Now I know what a sacrificial lamb feels like."

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By the time it was over, forty-four cops had been injured by the barrage of bricks and bottles, sustaining everything from cuts to broken bones. Afterward the marchers repaired to a park in Fort Greene where one Viola Plummer told them: "From this day forward, for every black child that we bury, we are going to bury five of theirs."

WHILE there would be another march through Bensonhurt that weekend, the battle for the bridge set David Dinkins's theme for the remaining eleven days of the primary campaign. He issued a vague statement to the effect that if some marchers had thrown things at the police, that was probably uncalled for; for his part, he would endeavor to heal the city. At the Labor Day parade the next weekend, Mario Cuomo declared that the next mayor would be the one who said, "I will bring you together." In the final week, Dinkins's allies on the stump and in the press drummed in the message incessantly. Pete Hamill of the New York *Post* wrote: "We don't need more Koch-style confrontation" and Jimmy Breslin of *Newsday* added: "As long as [Koch] is here, surely the city will know no peace." Jack Newfield of the *Daily News* pitched in, distinguishing Dinkins from Koch: "One is a healer, the other is a divider." Even the New York *Times*, in an editorial which endorsed Koch, said that "Dinkins has the temperament to soothe the city," praised him for "refusing to be divisive," and advised Koch to "reach out." Jesse Jackson, who returned to campaign in the city during the last weekend before the vote, summed up the argument: "It's time to end the degradation and hysteria, the hurt and degradation; it's time to bring in a man of hope and healing." The theme was contagious—even Koch, whose reputation over years of public life had rested on his candor, was caught up, and used his last valuable television spots before the primary to apologize for having offended anybody.

During the days between the murder and the primary, the city was incessantly portrayed as a place in which blacks lived in constant fear of white violence. It was remarkable, this construction of an imaginary city in which blacks could not walk the streets for fear of being attacked by whites—remarkable because everyone knew, in his mind if not in his heart, that it was a diametric inversion of New York's social realities. But in a city famous for its cynics, even skepticism was suspended, and for a time New Yorkers experienced that dissonance between what is publicly affirmed and what is privately known which is so familiar to those who live in totalitarian societies.

There were two routes out of the imaginary city—healing and retribution. The battle on the Brooklyn Bridge left everyone with a good idea of what retribution would be like; healing seemed that much more desirable.

On "Resurrection Day," as Jesse Jackson had been referring to primary day, turnout was large, and Dinkins's victory decisive. He got 537,887 votes—more than 50 percent of the total. (Koch got 42 percent; Ravitch and Goldin split the rest.) Dinkins received 125,000 more votes than Jackson had in the 1988 presidential primary. He carried black districts like Central Harlem, Bedford Stuyvesant, and Ocean Hill-Brownsville by margins of 15-1 or 20-1, pulling more voters from those districts than Jackson had done. But in addition to winning blacks and (by lesser margins) Hispanics, Dinkins scored well with whites; he narrowly carried both the Upper West Side of Manhattan and Greenwich Village—districts which Jackson had lost by nearly two to one.

Rhetoric about "Resurrection Day" aside, the inclination was widespread to hail Dinkins's win as a providential event. Pete Hamill set the standard for descriptions of a city morally transformed: "Whites and blacks actually said 'excuse me' on the bus . . . citizens stopped to help AIDS victims . . . even pity seemed to have been reborn."

THERE were solid reasons to consider Dinkins's primary victory as tantamount to election. For all intents and purposes, there was no Republican party in the city of New York: Republicans held one out of 35 seats in the City Council, and had no other presence in city government; 70 percent of New York's voters were registered Democrats. While a case could be made that New York voters, though Democratic, were not necessarily liberal, it was also true that Michael Dukakis had carried the city by 2-1 against George Bush, and Walter Mondale had won it by better than 3-2 against Ronald Reagan.

Moreover, the Republican candidate, the former federal prosecutor Rudolph Giuliani, no longer appeared nearly so formidable as he once had done. At the beginning of the year, Giuliani had led Koch and Dinkins and all other comers in the polls. But the ensuing months had not been kind to Giuliani. In the Republican primary he had faced a peculiar multimillion-dollar negative campaign waged by cosmetics heir Ronald Lauder, devoted almost entirely to besmirching his reputation. He had shortcomings as a campaigner—he was wooden as a speaker, and possessed no notable abilities to forge an emotional bond with voters.

Perhaps most importantly, Giuliani seemed to lack any sense of the ideological nuances of political issues in the city. Early in his campaign, he had been given to saying that there was no "Democratic" or "Republican" way to pick up the garbage—which seemed to suggest that no questions of principle were involved at all in the coming contest. Then in his first post-primary comments he charged that Dinkins was no more than a "clubhouse politician" who was simply part of the same corrupt system as the mayor—a charge which could well have come from some-

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one who had spent the summer in another country.

Because of the huge Democratic edge in registration, it made sense for the Dinkins camp to present their candidate as no more and no less than the sort of mainstream Democrat whom the city's voters had supported many times in the past. The idea that Dinkins was a "black Abe Beame"—a reference to the unmemorable mayor who occupied City Hall between the Lindsay and Koch eras—was put forward by some Dinkins supporters after the primary, as a term of reassurance rather than derision. To win, Giuliani would have to convince a considerable number of Democratic voters that the differences between Dinkins and Koch, Dinkins and Beame, Dinkins and Dukakis, and just as importantly, between Dinkins and Giuliani, were major ones. This was hardly an easy task for a man who eschewed ideological politics, and it was made no easier by the fact that Giuliani had adopted essentially liberal stands on issues like commercial rent control and the nature of the city's responsibility for the homeless.

This left Giuliani exposed to the supposition that the only card he had to play was somehow or other related to race—and in a city which had just crowned the Democratic nominee because of his "healing" properties, it was clearly a losing card. From the outset, Giuliani was on the defensive, his campaign's every utterance monitored in the expectation (the hope?) that it would be construed as racially divisive.

The first skirmish of the fall came over the Jewish comedian Jackie Mason, and the Republican was very nearly dealt a first-round knockout blow. Giuliani had taken to going around the city with Mason, perceiving, accurately enough, that New Yorkers found the comedian more entertaining than they did him. But Mason, who had made a career out of ethnic humor, was clearly headed for trouble in a city still basking in self-congratulation for having chosen Dinkins over Koch. In mid-September, Mason made what he had thought were off-the-record remarks to a *Village Voice* writer at a lunch. They were a typical Mason mixture of exaggeration and observations which a great many people would acknowledge (at least in private) as ringing pretty true. He said that Jews would vote for Dinkins out of guilt, or as he put it, "All you have to do is to be black and don't curse the Jews directly and the Jew will vote for a black in a second. Jews are sick with complexes." Mason added that Dinkins "looked like a black model without a job," and one or two other barbs along these lines. The *Village Voice* thought these remarks significant enough to provide a special advance copy of the story to city newspapers, which gave them extensive coverage.

The public response to Mason's remarks, in the press and from the major Jewish organizations, could not have been too different if Mason had issued a call for the firebombing of black churches. Mayor Koch, who had endorsed Dinkins after the primary, accused Mason of engaging in a "vile vicious racism directed at black citizens"—and more language of this sort rained down on the comedian in countless public statements throughout the city. Giuliani waited less than a day before disavowing the remarks and severing Mason from his campaign. Yet CONDUCT (the Committee on Decent Unbiased Campaign Tactics), a self-appointed watchdog group, still denounced Giuliani for not repudiating Mason's remarks forcefully enough.

Scarcely had the Mason affair cooled when Giuliani was once again under fire. In this case the transgression was a campaign ad in the *Algemeiner Journal*, a Yiddish-language newspaper, which displayed adjoining photographs of Giuliani with President Bush and Dinkins with Jesse Jackson—a none too subtle reminder that Jackson was a strong Dinkins supporter, and that Dinkins had been his New York campaign co-chairman.

Once again there arose a chorus of denunciation from organizations and prominent individuals: "racial code words" (Teamsters leader Barry Feinstein); "playing on hatred and fear" (Rabbi Balfour Brickner). Koch joined in as well, explaining that "When you single out Jackson and Dinkins, it's no longer subliminal, it's liminal. His [Giuliani's] message is they're clones, that to elect Dinkins is to elect Jackson. . . . I don't believe that." In an editorial entitled "Tough Politics or Race Baiting?" the New York *Times* weighed the matter and decided that while the ad was not out of bounds in its "narrow context" (Dinkins had, after all, been deriding Giuliani as a right-wing Reagan Republican for months), in view of New York's racial tensions it was "unwise" and "disappointing."

There were few public voices in the city to note that the double standard was being rather thickly applied. Dinkins supporters had made highly inflammatory racial appeals during the last weeks of the campaign against Koch—Jackson's likening the mayor to Alabama's George Wallace, and the claim by Spike Lee that Koch's finger was on the trigger of the gun that murdered Yusuf Hawkins, being but two of the more egregious examples. Yet none of these had brought down warning flags from the moral referees of city politics. No one had called on Dinkins to "disavow" them.

In part the double standard could be explained by simple partisanship: most condemnations of Giuliani came from professional Democrats or committed liberals, who out of party loyalty or ideological conviction said whatever they felt would help their favored candidate win election. But there was more to it than that. Behind the charges against Giuliani lay the uneasy question of whether a level playing field was actually

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desirable in a political contest between white and black candidates. If (as most of the city's liberal spokesmen felt) there were all sorts of complicated reasons why a single standard was not appropriate in judging, say, black candidates competing with whites for admission to Columbia Law School, why then should one be applied to the mayoral race?

Giuliani defended his ad in the *Algemeiner Journal,* and asserted that he would not be intimidated from campaigning against David Dinkins. But he was woefully short of funds for television advertising, and by early October he seemed to lapse into a defensive silence. Dinkins, miles ahead in the polls, embarked on a leisurely cross-country fundraising tour—what one columnist described as probably his last vacation before assuming mayoral duties.

THE first cloud to appear over Dinkins's march to City Hall came in the form of a person who had been more or less out of the public eye for twenty years. This was Jitu Weusi, a Brooklyn radical activist serving as chairman of African Americans United for David Dinkins, and thus the campaign's coordinator for the various black "grass-roots" constituency groups around the city.

Weusi had previously been named Leslie Campbell, and in 1968 as a leader of the Afro-American Teachers' Association he had put himself at the center of one of the most explosive episodes of the school-decentralization controversy. On a radio program Campbell had read a poem composed, he claimed, by a fifteen-year-old girl, which began with the words: "Hey Jewboy, with that yarmulke on your head/ You palefaced Jewboy I wish you were dead."

There was, on the part of most of the city's newspapers, considerable reluctance to publish anything about Weusi's role in the Dinkins campaign; reporters from at least one daily had the story over the summer, and avoided it. But after Raymond Harding, the leader of the city's tiny Liberal party (which had also endorsed Giuliani), called a press conference to demand Weusi's ouster, the issue became difficult to ignore.

Of course there was a presumption that no person should be punished for what he said or did in 1968; besides, many people had changed dramatically since then. But not, it appeared, Weusi. During the early 1970's he had engaged in various forms of racial agitation around the schools, much of it heavily tinged with anti-Semitism. In the late 1970's he had discovered the Arab cause, and had availed himself of various travel and speaking opportunities paid for by the government of Iraq. In 1985 he had written a piece welcoming the notoriously anti-Semitic Louis Farrakhan to the city.

Dinkins was fundraising in California when the Weusi story broke; Weusi resigned shortly after his return. But what was most telling about the incident were the extraordinary efforts the Dinkins campaign made to keep Weusi on staff. The morning after the New York *Post* ran an editorial entitled "Jitu Weusi, Past, Present, and Future"—which said it was troubling that Weusi seemed headed toward a post in the next city government—the paper's editorial offices were flooded with telephone calls from Jewish supporters of Dinkins testifying to Weusi's virtue; one caller, a prominent member of New York's Jewish community, disclaimed personal knowledge of Weusi but said the Dinkins campaign had urged him to call and wondered whether the *Post* would accept an op-ed piece from Weusi.

The fact that Weusi was worth such an effort brought into relief a feature of the Dinkins campaign over which both the press and Dinkins's rivals had pulled a blanket of silence: there seemed to be no internal braking mechanism by which individuals from the far Left would be kept out of the orbit of the campaign. Indeed, Weusi was far from an isolated case. Another Dinkins aide, for example, was Leslie Cagan, a Jewish woman who, along with Weusi himself and the PLO's UN observer Zehdi Terzi, had been one of the speakers at a June 1988 demonstration staged by the Palestine Solidarity Committee. And most of all there was Sonny Carson.

Shortly after the battle of the Brooklyn Bridge, the Dinkins campaign wrote a $9,500 check to a group with no address called "The Committee to Honor Black Heroes" which Carson headed; the alleged purpose was to finance a "get-out-the-vote" operation on primary day. Like Weusi, Carson had been one of the leaders of the violent demonstration at the bridge, and like Weusi, Carson had a past that went back to the Ocean Hill-Brownsville school battles of 1967-68. Unlike Weusi, he also had a criminal record, having been tried for attempted murder, and convicted and imprisoned on a kidnapping charge. And also unlike Weusi, who had insisted in his resignation statement that he held no anti-Semitic views, either now or in the past, Carson would have nothing to do with such pieties. In the midst of the controversy he held a press conference, surrounded by young men dressed in what looked like street combat gear, and proclaimed that he was not so much anti-Jewish as "anti-white."

Dinkins, needless to say, rushed to assert that Carson's remarks went against everything he had stood for throughout his entire public career. But damage had been done, and it was compounded by the simultaneous emergence of reports concerning a curious Dinkins financial transaction.

IN 1972, Dinkins had bought a block of stock in a privately held company, Inner City Broadcasting, chaired by his friend and political mentor Percy Sutton. By the 1980's the company had acquired some lucrative cable-tele-

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vision franchises, and Dinkins's stock had gained value—on a confidential state form in 1983, he had estimated its worth at $1 million. Then, on the eve of assuming the office of Manhattan borough president, in a transaction recorded on a handwritten note, Dinkins had sold the stock to his son for $58,000.

In a city which had become extremely preoccupied with ethical violations by public officials during the last Koch administration, all this looked a bit irregular, and served to remind people that Dinkins had failed to file tax returns for four years in the early 1970's. In addition, it emerged that as borough president, Dinkins had twice voted on matters affecting franchises of the company in which his son now owned shares; this was a direct violation of the city's ethics laws. For several days, Dinkins tried to avoid reporters' questions about the matter, finally holding a marathon Friday afternoon news conference which, if it failed to clear the matter up, at least exhausted the interest of the press.

Fortunately for Dinkins, both the Carson flap and the stock transaction hit the news at exactly the same time, and both were pushed off the front pages by the San Francisco earthquake. Still, they exacted a political toll. Within a week, the polls shifted, and with about three weeks to go before the election, Dinkins's lead had shrunk to somewhere between four and twelve percentage points.

The slippage was evident among all blocs of white voters. To counter it, Dinkins played his strongest card in a city habituated to voting Democratic: he wrapped himself in a cloak of white Democratic politicians. During the last weeks of the campaign hardly a day went by when Dinkins failed to campaign in the company of Mayor Koch, or Teddy Kennedy, or Michael Dukakis, or Bill Bradley, or Senator Carl Levin of Michigan. All this time Dinkins virtually ignored the black community, and Jesse Jackson made himself scarce.

By virtue of their high number of undecided voters, Jews had emerged as the key swing vote in the election. Day after day, Dinkins stumped in Forest Hills, Pelham Parkway, Borough Park, and other predominantly Jewish districts. The effort was not without its drawbacks for the Jewish community. Along with all the attention, Jewish voters were being given a clear message: if they did not vote for Dinkins, and Dinkins were to lose, the loss would be attributed to Jewish racism.

Time after time in Jewish forums, Dinkins was asked about his associations with Jesse Jackson. Usually he responded in calm tones: he, not Jesse Jackson, was running for mayor. But occasionally he grew testy. Once, refusing to denounce Jackson, he snapped: "Should he get life in prison or what?" When there were cries of "Hymietown" (a term used in 1984 by Jackson about New York) Dinkins reminded his audience that he had denounced Louis Farrakhan and long supported Jewish causes, and continued: "Am I okay? Am I alright? . . . And I say to you with the deepest respect, if I'm not alright, who is?" While Jesse Jackson complained from the sidelines that Dinkins was "facing a kind of protracted crucifixion every day" at the hands of Jewish voters, Queens Democratic Assemblyman Alan Hevesi spelled it out, telling one audience: "If as a Jew you cannot vote for this man, you can never vote for a black."

Dinkins's question, "If I'm not alright, who is?" was not necessarily an unfair one, and it resonated as an implicit charge of racism only because it was allowed to hang in the air, unanswered, for the duration of the campaign. Yet a straightforward answer was available, valid not only for Jews but for all registered Democrats uneasy about Dinkins. A black mayoral candidate who had not been Jesse Jackson's campaign manager would have gone down more easily than Dinkins, and so would one who did not have such a glaring record of irresponsibility with his personal finances. Even more pertinently, a black candidate to whom it would never occur to hire Jitu Weusi and Sonny Carson for campaign roles, and whose campaign staff was not honeycombed with left-wing activists, would also have been clearly "alright." Finally, many Democratic voters would have been more comfortable voting for a black candidate who had not used his previous political post to give credibility to the more lurid charges of institutionalized racism and systematic police brutality which black extremists had leveled at the city's leadership.

As Dinkins's lead diminished, there developed a strong undercurrent of belief in the black community that the white media, by reporting his financial affairs and paying fuller attention to the Carson-Weusi matter, had embarked on a last-minute conspiracy to "take it away" from Dinkins—to deny him the prize that was rightfully his. While it was hard to maintain that Dinkins was being more "nitpicked" than Giuliani, the fact that both the press and all of his Democratic opponents had very nearly given Dinkins a free ride on these issues during the primary helped sustain theories of an eleventh-hour cabal.

By the end, the most compelling argument left for Dinkins's candidacy was that blacks in the city would be angry if he lost. This was stated in dozens of private conversations and bluntly by at least one candidate for city office who remarked, as Dinkins began to totter, "I'd hate to imagine what might happen if Dinkins loses." It was also alluded to in the endorsements Dinkins received from three of the city's four major daily papers, which mentioned race or "personal presence" or healing abilities as his principal qualification for office. But the argument received its most candid elucidation in a pair of columns written by Ken

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Auletta of the *Daily News,* published on the two Sundays preceding election day.

Auletta balanced the strengths and weaknesses of the two candidates (Giuliani had more executive ability and competence; Dinkins had a smoother and more likeable public persona). But the decisive question for him, the one which could not be avoided, was racial harmony. "Reject Dinkins," Auletta wrote,

> and 98 percent of black New Yorkers who polls say are for Dinkins will blame racism. They will know that the 29 percent of the voters whom Dinkins attracted in the primary was a mirage—that in the general election his white support fled. . . . They will believe, as the Reverend Herbert Daughtry said last week, "If David Dinkins is not acceptable, it means no black leader is acceptable." . . . . Reject Dinkins and we license haters like Sonny Carson. . . . Reject Dinkins and the racial polarization attributed to Mayor Koch will appear as a minor irritant. . . . Racial harmony and peace are a prerequisite for the other things the next mayor must do, including balancing the budget. The nation—no the whole world—is watching. David Dinkins has become a symbol.

The following week Auletta spelled out the argument once again, addressing in particular Jewish voters. It was clear, he began, that Jewish guilt would be a factor at the polls—but this was by no means a terrible thing: guilt was one of the most civilized of emotions. And far from being masochistic, a guilt-driven vote was actually in the Jewish self-interest. This was particularly true because so many Jewish voters continued to show up in the polls as "undecided." That meant that Jews were the election's swing vote, and "should Dinkins lose it is likely many blacks will whisper, 'The Jews killed Dinkins.'" Auletta went on to say that while "there are sound reasons to reject Dinkins, I believe, it doesn't matter what I believe. . . . If a quarter of New York's population is convinced New Yorkers voted against Dinkins for the wrong, not the right reasons, this is a factor we need to consider."

Auletta's column was the nearest anyone came to acknowledging that there was an element of racial blackmail—what used to be called "mau-mauing"—hanging over the campaign; he was constructing the case for paying up. By letting on that a Dinkins defeat would make the racial tension that existed under Koch appear like a "minor irritant," Auletta quietly turned the "healing" theme on its head. The Dinkins candidacy had not soothed racial tensions but, at least in a latent sense, had raised them. The city, which had gone along for years with relatively few racial incidents, was suddenly hostage to a campaign around which had grown the message, "Let him heal—or else."

As Eric Breindel noted in a column in the New York *Post,* some uncomfortable implications could be drawn from Auletta's argument. Would it be appropriate, Breindel wondered, to take such strictures under consideration in *any* election in which a black had a good chance of winning? While Auletta had claimed that he was arguing for "facing reality" and was not "pandering to fear," it was not at all clear where the distinction lay between the two.

The final result was close, closer than the tracking polls, closer even than the exit polls, had led everyone to expect. Dinkins won by about 47,000 votes out of an electorate of nearly two million. In the end, he got about a third of the Jewish vote—roughly twice the percentage he received from Irish and Italian Catholics, and several points more than he got from white Protestants. While enough to put Dinkins over the top, it was not enough to deter the city's black media from embarking on lengthy ruminations about why the Jews had failed to "repay" Dinkins for all the attention he had lavished on them during the campaign.

So much, then, for the victory of "healing" over "bigotry." Whether, as mayor, Dinkins will be able to redress the racial tensions his own campaign provoked, let alone deal successfully with the other urgent problems of New York, remains to be seen.

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Bork Revisited

Terry Eastland

THE battle over Robert H. Bork's nomination to the Supreme Court in 1987 marked a momentous occasion in our politics. Two years after the event, discussion goes on, now in books. Three were published in the fall of 1989, including one by Bork himself, entitled *The Tempting of America: The Political Seduction of the Law.**

Of the other two, *The People Rising: The Campaign Against the Bork Nomination* by Michael Pertschuk and Wendy Schaetzel† identifies with the "people" who campaigned against Bork and defends the effort as an instance of "high democracy." The book suffers from a lack of footnotes and index, and it has no real interest in constitutional law (a characteristic, incidentally, of many who campaigned against Bork). For these reasons, as well as its narrow focus and the doubt it provokes as to its candor, one may be tempted to ignore it. That would be a mistake. For this book demonstrates that there *was* an unprecedented political campaign against Bork, and, perhaps unwittingly, it reveals much about the Left and how it works today.

The third of the new books about the confirmation fight, Ethan Bronner's *Battle for Justice: How the Bork Nomination Shook America,*** is a well-written journalistic account by a reporter who covers the Supreme Court and legal affairs for the Boston *Globe*. While no fan of Bork's legal views, Bronner bends over backward to be fair to both sides. The strength of his book lies less in its analysis than its reporting, which confirms again that there was indeed an unprecedented political campaign against Bork.

Bork's own book is unusual, especially in an era of kiss-and-tell memoirs, in that only a quarter of it concerns the confirmation struggle itself, the rest being devoted to ideas. In essence, *The Tempting of America* is a description of and warning against the politicization of law that has had antecedents in the past but has proceeded at a furious pace in recent decades. Bork expresses his substantive views here more concisely and dramatically than he would be able to do as a judge. Ironically, then, the Senate, by rejecting Bork, has liberated him to put before the lay reading public the best single volume we have on the great constitutional issues that now divide the nation and that will determine the fate of law and liberty in America.

THERE seems no doubt that had Ronald Reagan nominated Bork in 1981 or in 1986, when the other two vacancies during his presidency occurred, confirmation would have been assured, if only because both times Republicans controlled the Senate. But the Democrats' return in the 1986 elections to majority status in the Senate changed the political arithmetic in a way that at least made a rejection of Bork possible.

In addition to being now in a position to defeat Bork, the Democrats had an enervated and distracted opponent in President Reagan. His presidency was in its last years, a situation typically of natural weakness for any President, which, in this case, was aggravated by the Iran-*contra* affair. Moreover, the President and his advisers were unwilling to expend what they regarded as finite political capital on a Supreme Court nomination (indeed, the President did not make his first lobbying phone call to a Senator until September 30, well *after* the confirmation hearings were over, and three months after the nomination had been announced). Furthermore, though none of these books discusses it, the White House in the fall of 1987 was so consumed with the idea of concluding the INF treaty with the Soviet Union that it gave little thought to the fight over Bork.

In spite of all this, the White House did not delegate the job of handling the confirmation to the Justice Department, which had advised the choice of Bork in the first place, understood the importance of the nomination far better than most White House aides, and was better equipped to focus its resources on the battle. But as Bronner

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* Free Press, 432 pp., $22.50.
† Thunder's Mouth Press, 317 pp., $13.95.
** Norton, 399 pp., $22.50

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points out, the Justice Department was unpopular on Capitol Hill, and the Attorney General at the time, Edwin Meese III, was under investigation by an independent counsel and regarded by the President's closest White House advisers as a political liability. For these reasons, the White House decided to bench the Justice Department and handle the nomination itself.

There was one additional reason that made this seem the right call at the time: the nomination did not appear to require much effort. Bork was as qualified in conventional terms as anyone ever nominated. He was a federal appeals-court judge. He had served as Solicitor General of the United States. He had been a distinguished professor at the Yale Law School. He had written arguably the most important book on antitrust law in the past decade, and his other writings on the law, interesting and provocative as they were, seemed if anything only to add to his stature. Finally, he had no "ethics problems." Given all this, it did not seem outlandish to conclude that the Bork nomination would proceed in the old-fashioned way.

The old-fashioned way assumed the deliberative character of the Senate and a degree of senatorial prudence that confined members to voting on the basis of conventional qualifications. What it did not assume was that there might be waged against a nominee a political campaign of a kind demanding a political response.

THIS campaign began on the very day the Bork nomination was made, when Edward Kennedy of Massachusetts spoke from the well of the Senate three short paragraphs about "Robert Bork's America." It was, he said, in words that have become notorious, a land

> in which women would be forced into back-alley abortions, blacks would sit at segregated lunch counters, rogue police could break down citizens' doors in midnight raids, schoolchildren could not be taught about evolution, writers and artists could be censored at the whim of government, and the doors of the federal courts would be shut on the fingers of millions of citizens for whom the judiciary is—and is often the only—protector of the individual rights that are the heart of our democracy.

Kennedy declared that Bork would tip the scales of justice "against the kind of country America is and ought to be." Finally, he concluded,

> President Reagan . . . should not be able to reach out from the muck of Irangate, reach into the muck of Watergate,* and impose his reactionary vision of the Constitution on the Supreme Court and the next generation of Americans. No justice would be better than this injustice.

At the time, conventional wisdom held that this speech, with its obvious distortions and outright lies, had been a tactical mistake. Bork himself says in *The Tempting of America* that it did not occur to him that anybody would believe such charges, and that he thought Kennedy's speech would help rather than hurt him. "I should have known better," he writes.

Kennedy's speech, and then Kennedy and his staff through phone calls and various meetings, inspired and helped energize the opposition to Bork. From Bronner's account, it is unclear just when Joseph Biden, chairman of the Senate Judiciary Committee, decided to oppose Bork.† Biden, who just weeks earlier had declared his candidacy for President, had indicated the previous November that, unlike Kennedy, he would probably vote to confirm if Bork were at some time to be nominated. But driven evidently by the political imperatives of his quest for the presidency, on July 8 he told a meeting of six left-wing groups—including the Leadership Conference on Civil Rights; the NAACP Legal Defense and Educational Fund; Alliance for Justice; the Women's Legal Defense Fund; and People for the American Way—that he now opposed Bork. He also postponed committee hearings until after the August recess, thus putting Bork on hold for longer than any nominee in history (a total of 77 days; the past average had been a mere 14) and giving his opponents more time to organize their campaign.

On July 9, representatives of other groups met with those of the six who had met with Biden, some 80 in all. (Eventually, there were to be about 300 groups involved.) They were elated with Biden's change of position and his postponement of the hearings. Biden, writes Bronner, "went to work hand in hand with the liberal groups that had declared war on Bork. Sub rosa, his staff met weekly with group representatives and stayed in constant telephone contact with them." After each meeting one of Biden's aides told the representatives, "Remember, this was all off the record."

So it was, as Bronner writes, that the "anti-Bork effort would be carried forward *outside* the Senate." But with, one might add, the advice and consent of the Senators who mattered.

This kind of well-organized political effort against a judicial nominee was unknown before Bork. As Ann Lewis, a leader of the "progressive" opposition, told Pertschuk and Schaetzel: "This had to be fought beyond the walls of the Senate. If this were carried out as an internal Senate battle, we would have deep and thoughtful discussions about the Constitution, and then we would lose."

Lewis and her colleagues worked with a pollster

* This was a reference to the fact that Bork, as Solicitor General, had carried out the order to fire Special Prosecutor Archibald Cox.

† Perhaps we will know later this year when Mark Gitenstein, counsel to the Senate Judiciary Committee during the Bork hearings and Biden's top aide, will publish a book on the Bork confirmation process, telling the story from the Senate's perspective.

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in designing and conducting "focus" groups around the country. As it happened, the argument sometimes advanced in Washington—that Bork would be a fifth conservative vote, thus "tipping the balance"—went nowhere in those groups (partly because not everyone, it seems, understands that there are nine Supreme Court Justices). What did prove effective was the charge that Bork wanted to turn the clock back—on civil rights, on workers' rights, on women's rights.

The irony was, as Bronner perceptively observes, that the anti-Bork coalition "actually *did* turn back the clock to beat him." Taking Bork's own writings and decisions, and paring away "subtleties, complications, and shadings"—butchering them, would be more accurate—the anti-Bork forces raised "the specter of birth-control police, poll taxes, and literary tests"—all issues settled in the 60's. The coalition skillfully avoided what a representative of People for the American Way called the "A words"—abortion and affirmative action. Instead of abortion, the talk was about privacy and birth control; instead of affirmative action, the talk was about civil rights.

The campaign included "actualities," radio spots that sounded like newscasts and that stations slipped in to fill up the time. It included video news releases, editorial memos to an eventual total of 1,700 newspaper editorial boards and individual reporters. It included a concentrated effort on the national news organs of greatest impact, such papers as the New York *Times* and of course the television networks. And it involved a great deal of paid advertising. Indeed, groups like People for the American Way used paid ads to generate free publicity—i.e., news stories about the ads themselves. White House Press Secretary Marlin Fitzwater inadvertently furthered this purpose by criticizing a scurrilous People for the American Way ad, the one featuring Gregory Peck on the steps of the Supreme Court in which he implied that Bork favored keeping blacks away from the polls. That put the ad, for the first time, on network news.

The commitment of those working in media affairs, like that of others in the anti-Bork campaign, was intense. One activist from the Communications Consortium, a liberal organization that did much of the media work, told Bronner: "Every morning someone would come in at six-thirty and do a summary of press coverage. . . . Then there would be a meeting to develop the message for that day. My job was damage control, to see how the message was playing in the targeted areas." And Linda Greenhouse of the New York *Times*, referring to the liberal message-framing, told Bronner: "Never before had I felt so much like raw meat."

Meanwhile there were the polls, including one by Louis Harris and Associates that, according to Bronner, actually invented a "statement" by Bork. Other polls were skewed in such a way as to produce predictable anti-Bork results, which in turn were duly reported by the media.

By Labor Day the campaign outside the Senate had determined what would happen inside the Senate. This campaign had created an atmosphere that would make it politically painful for Senators otherwise disposed to Bork actually to support him. As for the White House effort in his behalf, it was conducted poorly, with little political savvy. And it came too late.

Bronner, like many who covered the confirmation battle, believes that the hearings were important; there was, he writes, "real intellectual give-and-take." In truth, the hearings were an anticlimax. They were also a charade. The Senate Judiciary Committee did not want another Oliver North performance from Robert Bork. It arranged the hearing room so that Bork would be stationed not *below* the inquiring Senators, but on a plane with them. It had television cameras positioned at an angle less favorable to Bork. There would be no atmospheric disadvantage for Biden and others challenging Bork.

Bork spent thirty hours testifying, but the exchanges with his Senate opponents were very far from the "real intellectual give-and-take" of which Bronner speaks. For the most part, as Bronner himself describes it, Bork's "liberal opponents waxed poetic about God-given rights and simple justice and the American heritage," while the judge himself spoke in the technical language of law. Notably, the one Senator who did try to meet Bork on the playing field of law was Republican Arlen Specter of Pennsylvania. In *The Tempting of America* Bork reproduces at length an exchange he had with Specter on the subject of pornography. The exchange is revealing for the persistence of Specter's confusions on the subject.

Throughout the hearings, the task for the lobbyists opposing Bork was essentially that of continuing to pound home their message outside the Senate while avoiding mistakes of their own that might resurrect the nomination. They did that. *The People Rising* describes how the Left convened in a "War Room" located near the hearing room, where its leaders watched the proceedings and wrote statements they would then take to the media in time for the network news. No one was doing that for Bork, at least not until the very end of his testimony.

The Left also managed a truly awesome disappearing act. In the past, representatives of the groups now involved in the anti-Bork coalition had always testified on whatever the relevant issue of the day might be. Not to do so on the Bork confirmation was a bitter pill for many of them to swallow. But here the Judiciary Committee opponents of Bork and the coalition leaders thought the matter through and decided that

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testimony by these groups would be too risky. Pertschuk and Schaetzel quote Morton Halperin of the American Civil Liberties Union, for example, on how he persuaded its president against testifying: "Well, you think you're going to . . . talk about the Bill of Rights and how important the Court's role is, but let me tell you what the first question is. The first question is going to be, . . . you say that Judge Bork doesn't understand the meaning of privacy in the Constitution. Is that right? Yes! You believe that privacy in the Constitution means that gays have to have the right to marry. Is that right? Yes! . . . He said, 'I understand; I understand.'"

Thus, Bork's views on privacy and the Constitution were twisted and then presented to the public in terms of the settled issues of yesteryear (such as birth control), while those of today (such as illegal drug use) were kept out of sight.

Admittedly, Bork could have done a better job in answering certain questions. That is, he could have answered them in a way more attentive to the politics of the situation, and still consistent with his legal views. As Bronner's reporting reveals, he was presented with opportunities to hit home runs when friendly Senators, such as Orrin Hatch, lobbed fat pitches precisely for that purpose. Bork does not ask in his book whether he might have responded differently. But such an exercise in self-criticism—what some critics would like is a kind of confession—would be pointless. However better Bork might have done in answering Hatch or other Senators, the eventual outcome would have been the same, since by the beginning of the hearings things were already, as Senator Richard Shelby of Alabama told Bronner, "in concrete politically."

The rejection of Bork may well have been prefigured in the elections of 1984 and 1986. Reagan, though winning by a landslide in 1984, did not run a substantive campaign. In particular, he did not make a big issue out of judicial nominations in order to strengthen his hand in any confirmation battles ahead. Nor, in 1986, as Bronner's book shows, did he throw himself with any intensity behind this issue in campaigning for Republican Senate candidates. Having made the Bork nomination in 1987, the President effectively walked away from it.

What could he have done? I was the principal Justice Department spokesman at the time. Bronner quotes me as saying that the day Kennedy gave his "Bork's America" speech, Reagan should have countered in kind, attacking the Senator by name. Such an effort by Reagan would have drawn a line in the sand. It would have indicated a willingness to do battle. It might have changed the dynamics of the process. At the least it would have injected some sense of mission into those aides who were charged with handling the confirmation.

Certainly Reagan could have made phone calls to Senators before late September, especially to Southern Senators, who held the balance of confirmation power. But most important of all, Reagan could have defined the issue of the Bork confirmation in the only terms the campaign against Bork left available. That is, he could have fought politics with politics. He could have said that those who were voting against this confirmation were voting for employment quotas and the right to take drugs. The purpose would have been tactical: to generate enough political heat from the other side to force Senators to decide that the vote should not, after all, be about civil rights or any other such issue, but about the nominee's conventional qualifications.

I am not suggesting that such a counter-campaign would necessarily have worked. One truth the Bork confirmation proves beyond doubt is that the lobbying groups on the Left are far more numerous than those on the Right, better organized, more skilled, and, with few exceptions, more committed. Still, once the political campaign against Bork had been launched, nothing other than a counter-campaign could have saved him.

To be sure, Bork, precisely because of his belief that judging and legislating are two different things, would have been uncomfortable with a counter-campaign. Indeed, one of his main purposes in *The Tempting of America* is to rescue the integrity and independence of the law from those who would politicize it, whether from the Right or from the Left.

Toward this end Bork points out that "substantive due process," the method by which judges write "their personal beliefs into a document [the Constitution] that, most inconveniently, does not contain those beliefs," originated in the Supreme Court's 1857 decision in *Dred Scott*, in which it read into the due-process clause of the Fifth Amendment a right to slaveholding.

Bork then examines many other cases in which various Supreme Courts have read into the Constitution rights (in recent decades most often of a liberal character) that simply are not there. When he arrives at *Griswold* v. *Connecticut*, the 1965 case in which the Court struck down a state criminal law barring contraceptives on the grounds that it violated a constitutional right to privacy, he observes that the litigation was "an attempt to enlist the Court on one side of one issue in a cultural struggle." Bork points out, as few writers do, that the statute had never been enforced and was unlikely ever to be. *Griswold* was a case hatched in the minds of Yale Law School faculty. The professors got what they wanted, and *Griswold* led, in 1973, to *Roe* v. *Wade*. The constitutional right to privacy, one was now told, included a woman's right to an abortion.

In 1989, a Bork-less Court had doubts about that particular extension of the dubious right to pri-

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vacy. Bork observes that *Roe* v. *Wade* is "the greatest example and symbol of judicial usurpation of democratic prerogatives in this century" and says that it should be overturned. Yet it is not just this case or that which needs reexamination. The more important need is for "a fundamental rethinking of legitimate judicial power."

That is already happening, thanks in part to determined advocates like Bork. But it is far from clear what the outcome will be. At the elite law schools, where liberal professors predominate, few teachers or students share Bork's view of the judicial power. On the other hand, as Bork is well aware, there are conservative intellectuals who would read certain economic rights into the Constitutions.

Bork advocates recovery of the once dominant view of constitutional law, which is that courts should apply the Constitution according to the principles intended by those who ratified the document. "No other method of constitutional adjudication can confine courts to a defined sphere of authority and thus prevent them from assuming powers whose exercise alters, perhaps radically, the design of the American Republic."

The Tempting of America deserves the wide audience it has been getting—by the end of 1989 the book was in its fifth printing and was on the best-seller lists. One must hope a Senator or two will actually read it. The substance of the views expressed by Bork merit the most serious discussion, a task made the more difficult by the fact that the same advocacy groups who campaigned against Bork have also been campaigning against his book, mailing literature to media organizations. Another sortie in the cultural war between Left and Right is under way.

But transcending that battle is the imperative that public discourse be conducted honestly. Bork has obeyed that imperative. The rule of law, which itself assumes honest discourse, depends upon whether others will join him on that level, above the muck into which the campaign against his nomination to the Supreme Court so shamefully dragged us all.

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Bilingual Miseducation

Abigail M. Thernstrom

THE New York State Board of Regents has recently voted a 74-percent increase in the number of children eligible for the state's bilingual program. Thousands of new students will now be assigned to classes in which instruction is in a language identified as "'native" to them—although many of these children will actually be more fluent in English.

In New York, Massachusetts, and elsewhere, students in such "bilingual" classes are often taught by teachers who have been recruited abroad or know little English. If the students are, say, Puerto Rican, they will learn about Puerto Rico; by ninth grade, Abraham Lincoln may mean nothing to them but they will know that the River Culbrinas is a small tributary in the northwest corner of the island. The Bush administration seems committed to these programs. In fact, as part of an evident shift in federal policy, Bush's Secretary of Education, Lauro Cavazos, has appointed a former Hispanic lobbyist to head the department's bilingual-education program.

A heightened commitment to bilingual education on the part of the federal government—sending an important signal to states and local school districts—is hardly what William J. Bennett, as Secretary of Education under Ronald Reagan, had planned. Nor is it what his immediate predecessor had hoped for. One of Terrel Bell's first acts in 1981 was to revise the "unworkable and incredibly costly" bilingual-education regulations put in place in the Carter years.

But perhaps the revived commitment under Bush should come as no surprise. Legislative and administrative action in the realm of civil rights usually has a ratchet effect; backward movement is seldom possible. To return to former ways is read as reneging on a promise. This is the lesson that the Reagan administration was slow to learn but that the Bush administration understands. Since almost all pressure on civil-rights issues comes from the Left, reconsidering any program that touches on "minority rights" is always politically risky. Little is likely to be gained from it—little, that is, in the way of political benefit.

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Bilingual education is unusual in that there is actually an organized group opposed to it: U.S. English. But that organization is generally no match for Hispanic and other lobbyists both inside and outside school systems. These advocates know how to mobilize parents and other allies and they stand ready to brand all critics as morally suspect. Thus, in California a measure declaring English to be the official language passed by a margin of three to one in 1986, but the Hispanic leadership blocked state-legislative efforts to enforce the provision. Educational policy was left in local hands, and in both Los Angeles and San Francisco Hispanic activists outside the school system and bilingual teachers and administrators within were able to keep bilingual programs in place.

AS A national commitment, bilingual education is just over twenty years old. But the idea had an earlier life. In the 19th century, Cincinnati, St. Louis, and other communities provided instruction in the public schools in the native tongue of non-English-speaking immigrants. These programs, however, were strictly local in nature and were never promoted by professional ethnic activists with a moral message to convey.

The Bilingual Education Act of 1968, on the other hand, was the product of its racially conscious time. Witnesses at the congressional hearings on the bill in 1967 were (by and large) ethnic spokesmen and the arguments they made were couched in civil-rights terms. To be sure, the statute did differ from earlier civil-rights acts in one respect: Hispanics, not blacks, were the focus of concern. But Mexican-Americans and other Hispanics were considered "black-like" in the disadvantages they experienced.

The dropout rate for Hispanic students was appallingly high, congressional witnesses argued. The median number of years of schooling completed by Spanish-surnamed adults was half that of Anglos and considerably below that of blacks. In fact, many had no schooling at all. "The fault lies with our educational system," declared Senator Thomas Kuchel of California.

But the fault did not lie entirely with the American educational system: a large proportion

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of the Spanish-surnamed adults to whom the Senator referred had been born and raised in Mexico. Nevertheless, bilingual education was said to be the solution. It would, advocates were confident, solve the special educational problems of Hispanic and other children with limited English-speaking ability.

The argument was, first, that bilingual education would allow these children to acquire basic skills and other knowledge at the proper time. In regular classrooms, the Hispanic child with only limited English inevitably fell behind. But if, for example, first-grade math were taught in Spanish, it could be learned in first grade.

Second, it was claimed that Spanish, being written as it sounds, was easier to learn than English. Therefore, for the Spanish-speaking child the fastest route to English literacy was actually through Spanish. The child who learned to read and write in the simpler language could transfer those skills to the more difficult one.

The third and most important point of the argument was that bilingual education would make these children feel good about themselves. It would provide an educational environment that honored the culture from which the children came and would thereby foster the self-esteem so crucial to learning.

In this way, the perspective of the radical black-power movement of the mid-1960's was transferred to Hispanics and other linguistic minorities. According to the Supreme Court in *Brown* v. *Board of Education* (1954): "To separate [children] from others of similar age and qualifications solely because of their race generates a feeling of inferiority . . . that may affect their hearts and minds in a way unlikely ever to be undone." Black militants turned that contention around: to *assimilate* children into an alien culture, they said, creates feelings of inferiority. But on this particular issue they made relatively few converts among white liberals. Hispanic activists, by contrast, adopted the same argument and got white liberals to go along.

Indeed, those who spoke at the congressional hearings on bilingual education in 1967 were close to unanimous in rejecting assimilation as an ideal. To "melt" immigrant children had once been central to the mission of public schools. But now the U.S. Commissioner of Education urged Americans to abandon the image of the melting pot and substitute that of a mosaic. Congressman James H. Scheuer of New York echoed the sentiment. "I think we have discarded the philosophy of the melting pot," he said. "We have a new concept of the value of enhancing, fortifying, and protecting [people's] differences, the very differences that make our country [so] vital. . . ."

Congressional liberals and witnesses had thus taken a point that was perhaps psychologically sound but culturally and politically problematic—that blacks could and should maintain separate institutions and distinct values—and by applying it to other groups had transformed it into a contention that was psychologically dubious but culturally and politically possible. That is, the psychological damage to blacks had been real, but the proposed remedy—reviving and maintaining a distinct and segregated culture—was impossible: blacks were Americans. But at least for certain sectors of the Hispanic community the problem was the reverse. At the hearings, no one claimed that the psychological damage to Mexican-Americans or Puerto Ricans was equal to that experienced by blacks. But the fact that these groups had close ties to Mexico and to the island made cultural maintenance much more viable.

THE Bilingual Education Act, signed into law in January 1968, committed the federal government to supporting some form of bilingual education in school districts that wanted it. Nothing, of course, had stopped districts from instituting bilingual programs before, and indeed, early in the decade Dade County, Florida, had begun to offer instruction in Spanish to Cuban refugee children. Other jurisdictions in scattered states—New Mexico and California, among them—had followed suit. What is more, some federal assistance was already available. But sponsors of the legislation were worried that, without the spur of additional federal dollars, the number of such programs would remain small. If bilingual education were really to take hold, proponents were convinced, separate and specific funding would be needed, and with the passage of the Act that is what they got.

The provision of funds was clear. But for what sort of instruction was the money to be used? The Act was quite vague. Technically the legislation was an amendment to Title VII of the Elementary and Secondary Education Act (ESEA), although Congress did specify that it could be cited as the "Bilingual Education Act." Yet neither in its "Findings" nor in its "Declaration of Policy" did the statute refer specifically to bilingual instruction. Instead, mention was made of "special educational needs" and the necessity for "new and imaginative programs." Given the inattention to educational details in the hearings, the lack of specificity was understandable. The whole enterprise rested on conclusions that could hardly be called considered educational judgments.

In 1974, when the Act was renewed and altered, its purposes were much more clearly stated, and several important changes were made. For instance, bilingual education was no longer depicted as experimental; its efficacy was now assumed. And while Title VII had initially spoken simply of the need to fund "new and imaginative" programs, the policy in 1974 had become "to encourage the establishment and operation, where appropriate, of educational programs using bilingual practices. . . ."

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But bilingual instruction now meant instruction using the native language, with perhaps a bit of English thrown in sometime during the day. And it meant education in the native culture as well. "A primary means by which a child learns is through the use of such child's language and cultural heritage," the amendments stated.

The addition of the cultural component was significant. In the 1967 hearings Congress had agreed on the importance of "fortifying"—not simply respecting—cultural differences, but it had stopped short of taking concrete action to realize that unprecedented (and, one would have hoped, controversial) goal. Now, in 1974, the federal government turned its back on the notion that bilingual instruction would be used simply as a means of temporarily sheltering children from the shock of school in an unfamiliar language and became firmly committed to programs that encouraged Hispanic children to see themselves as a group apart—permanently culturally distinct.

The number of children eligible to participate in federally supported bilingual instruction was now also greatly expanded. In 1968 Title VII had funded programs for children from low-income families only—in keeping with the rest of the ESEA. Limited proficiency in English, sponsors of the legislation had assumed, was only a handicap in the context of broader disadvantage. In 1974 that link between linguistic and economic disadvantage was severed. Middle-class children could now participate in federally supported programs. So could certain children whose primary language was English.

For a school system, more children might mean more federal funds. More children also meant more parents and more bilingual teachers and administrators—in short, an expanded lobby. Bilingual education was well on its way to becoming an addition to that confederation of groups of employees, each with its own clientele, that we innocently call an educational system.

This process was pushed along by a number of judicial decisions, the most important of which was *Lau* v. *Nichols*, a 1974 Supreme Court ruling. Although, of all groups, Asians have generally been the least eager for bilingual instruction, *Lau* was a suit brought by the parents of Chinese students with no English in San Francisco. Other Chinese students in the city were getting special help; they wanted it, too. They won their case in a decision that rested not on constitutional but on statutory grounds—specifically on a guideline issued by the Department of Health, Education, and Welfare (HEW) to clarify the meaning of Title VI of the 1964 Civil Rights Act. Title VI had banned discrimination in programs receiving federal funds, and HEW had said that a child who could not understand the instruction in a classroom was experiencing discrimination on the basis of national origin. In the view of the Court, the interpretive guideline, although formulated by an administrative agency, was part of the legislative Act and the Chinese students were therefore entitled to help.

The Court had declined to specify the form that help should take, but HEW was quick to break the silence. In 1975 the agency issued additional guidelines. (According to the Court, HEW in its enforcement capacity spoke for Congress. Did it also speak for the Justices? And could subsequent judicial decisions then be based not on their own ruling but on HEW's version of that ruling?) The new guidelines threatened to deny federal funds to any school that had more than twenty students with limited English and yet failed to provide bilingual-bicultural instruction. Schools that did not want such a program could come up with another, equally effective remedy. But since no one knew how effective the standard "transitional bilingual education" was, it was exceedingly hard to prove that another approach could be considered its equal.

The plaintiffs in *Lau* had been Chinese-Americans, but Hispanics had won. The Chinese-American community had run after-school and other privately funded programs but had never had an interest in the preservation of ethnic identity by means of public support. What it had wanted was help with English—access to what was being taught. The Hispanics, for their part, had consistently made quite a different argument: that pride was the key to academic success and that the promotion of pride demanded not help with English but a reinforcement of the Spanish language and Hispanic culture. This was the argument that HEW's new guidelines reflected.

The *Lau* decision not only defined bilingual education as a right, further empowering ethnic activists, but helped to expand the number of language groups for whom bilingual education was provided. In 1974 only 23 language groups were served and Hispanics got 80 percent of the funding. But *Lau* suggested that all children with a limited ability to understand English were entitled to help, and by 1978 the number of such language groups had risen to 70. (The figure is now 145.)

What with federal and state statutes, and what with judicial decisions and regulations interpreting those statutes for purposes of enforcement, the bilingual plot is very thick. Are the students for whom all this has been put in place in fact benefiting? Has instruction in a native language given the students a leg up—as promised? Governor Mario Cuomo of New York has declared bilingual education to be "extremely successful in helping students to learn English." He sounds the right liberal notes, but is he right?

Scholars and others who have posed this question have often met with resistance from bilin-

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gual-education partisans, who have mounted what Rosalie Pedalino Porter calls in a forthcoming study* a "shrill campaign against any alternative programs." In 1978 the director of the U.S. Office of Bilingual Education even maintained that bilingual education could not be evaluated. "It is a philosophy," he said. And so it was and is. A sense of cultural sin, not educational failing, was the driving force behind the original Act. And the conviction that an ethnocentric society must mend its ways still informs much of the discussion of bilingual programs.

Indeed, not everyone agrees even on the importance of learning English. For instance, at a public meeting this past October, Adelaide Sanford, a member of the New York State Board of Regents, reportedly dismissed the importance of learning the nation's language. A lot of people who speak English are not successful, she is said to have noted.

True enough, but is the converse of this proposition—the issue at stake—true as well? Without English, the prospects for success are slim. And on that score, the record of bilingual education—in its usual "transitional" form—is not good.

In the first place, there is too often nothing transitional about "transitional" bilingual education. A 1985 Massachusetts Board of Education study reported that substantial numbers of Hispanic children remained in bilingual classrooms for six or more years. In general, children are kept in the programs until they can perform successfully in regular classes. For many children that day is long in coming. Since they are not usually taught much English, they never learn it.

Furthermore, Christine Rossell, one of the country's leading experts on bilingual education, has painstakingly tabulated the findings of studies that have evaluated bilingual and other methods of teaching limited-English-proficient children. Her conclusion: 71 percent of the studies show transitional bilingual education to be no different from or actually worse than doing nothing.

Similarly, in math achievement, 93 percent of the studies show bilingual programs to have either negative effects or no effects at all. As for social studies and other such subjects, too often the children in bilingual classes are not even exposed to the material that others get.

It is no secret to American businesses that the graduates of bilingual programs are inadequately educated. Striking evidence has recently been reported by Con Edison, New York. All applicants for entry-level jobs are required to pass an aptitude test in English. In 1988, 7,000 applicants, primarily from New York City schools, were tested and only 4,000 passed. The personnel manager checked the results and discovered, to her dismay, that not one product of the city's bilingual-education program was among those who had passed. The company also participated in a pilot program in a bilingual school in the Bronx. All the students with limited English from the program failed Con Edison's most basic test.

No wonder, then, that Motorola and other businesses are spending substantial sums to teach their employees to speak, read, and write English. By 1992 Motorola alone expects to have spent some $30 million on a program begun just three years ago. Many professional educators apparently do not realize it, but even low-level jobs require a reasonable command of English.

THERE are additional reasons for questioning the wisdom of continuing to offer "transitional" bilingual education. According to federal statistics, as many as 60 percent of the children to whom it is offered are not in need of a "transition" to English since English is already their best language. These children have been assigned to bilingual classes perhaps because someone in the household speaks Spanish or because they fall, say, below the 40th percentile on a standardized test. But of course lots of children who know *only* English do badly on such tests.

In addition, teachers are in short supply. In New York, advocates have charged that local school boards are simply refusing to fill bilingual-teaching positions. The teachers, they claim, are there for the asking. But the evidence suggests otherwise. Yes, teacher-certification requirements can be lowered or waived. Both are being done. And teachers can be recruited from other citites and other countries. That too is regularly tried. Los Angeles, for instance, frequently looks for bilingual teachers in New York. Many systems—including New York's—have sent emissaries to foreign ports to search for staff. And often they find them. But that process raises another question: are children being properly served when their teachers may be unqualified and speak only the most halting English?

If teachers are recruited abroad, the books and workbooks they use in class will often be imported as well. They will rely on the material with which they are comfortable—the material they know how to teach. In a class of Hispanic children, a Puerto Rican teacher will teach about Puerto Rico, using books from the island. The consequence is that the children are likely to learn almost nothing about American culture. And what happens to the two students in the room from the Dominican Republic and the three from El Salvador, the supposed reinforcement of whose cultural identity takes the form of lessons in Puerto Rican history and culture?

Beyond all this, the "transitional" bilingual programs are expensive, as the New York State supervisor of bilingual education has admitted. U.S. English estimates that the revised New York

* *Forked Tongue: The Politics of Bilingual Education,* to be published by Basic Books in April.

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plan will add $62 million per year to the state's current annual cost of $21.7 million—at a time of fiscal austerity. Nor is there anything distinctively expensive about providing such education in the Empire State. In Boston, in 1987-88, the per-pupil annual expenditure for students in the regular program was $4,340. The bilingual pupils cost $5,492.

Finally, bilingual classes amount to segregated education. Those who monitor desegregation plans count ethnic and racial heads in a school and pretend that the presence of Hispanic and other language-minority children counts toward integration. Yet there is often little that is integrated about the education of these students. The students may dabble in paints and dribble a ball together but, for most of the day, a bilingual classroom is a school within a school—a world apart.

The cumulative impact of these problems has inspired some second thoughts. Thus, when Congress reauthorized the Bilingual Education Act in 1988, it raised the level of allowable funding for such alternative approaches as ESL (teaching English as a second language) and structured immersion (immersion in English with a teacher who knows the students' native tongue). Prior to that time, 96 percent of the federal grants had gone to the standard "transitional" form of bilingual education—a form that, besides not being transitional, is rarely bilingual either, since English is often barely in evidence. Today, up to 25 percent of the funds can go to support alternative programs that are judged worthwhile.

Have these congressional second thoughts made a difference? Not much, since local school districts still have enormous discretion with respect to both staffing and student placement. To make matters worse, while William Bennett, in his years as Secretary of Education, did try to change federal bilingual policy, Secretary Cavazos, as already noted, has chosen to hew to the Hispanic line. For the Bush administration, which clearly wishes to cover all political bases, Cavazos's position undoubtedly comes as a relief. For the students in the programs, Republican prudence is their educational loss.

CHILDREN in bilingual programs are too often set up to fail. Not all children in all programs, to be sure. There are important exceptions—classrooms in which good teachers ignore the rules, follow their instincts, and provide excellent education. These are teachers who would do well in any setting with any children. And there are school districts that have structured sensible programs to help children really in need—Rochester, New York, being one. But in too many schools, children with limited English start and end their academic life without the basic skills they need if they are ever to thrive.

The Hispanic children fare the worst. Cambodians and Vietnamese, among others, are often luckier: the schools they attend frequently cannot find native-language teachers and are forced to offer English-based instruction. As a result, only Hispanic children "benefit" from the bilingual approach.

Cavazos has recently reassured the National Association of Bilingual Education (to much applause) that "the sink-or-swim days of learning English are over" and must never come back. But no one is advocating their return—not even U.S. English. No one wants to go back to the days in which bewildered and often ridiculed immigrant children were left entirely to their own devices. Everyone agrees that children who speak little or no English can benefit from special language instruction. The question is the form that help should take.

This is an educational question. Bilingual education has been a part of a political agenda, and the children whom the programs are supposed to serve have fallen through the cracks. Proponents often seem almost indifferent to the educational needs of these children. The proponents argue that building self-esteem is the first step to learning, and they define enhanced self-esteem as the feeling which comes from knowing one's own ethnic identity. It is a circular argument and it neglects the point that a sense of self-worth is most likely to result from concrete achievements. The child who stares blankly at one of the standard English achievement tests year after year can only feel defeat.

Such a child will learn English only if he is taught it. And there are plenty of hand-holding ways to teach English. Berkeley, California, for instance, last year prevailed in a case in which the relatively heavy use of English in its bilingual program, and the choice it gave to parents to place their children in ESL classes instead, were both challenged. The school system convinced the federal district court that its English-based instruction had yielded good results.

Interviewed recently in the New York *Times*, a new arrival from the Soviet Union voiced the frustration that all immigrants feel. "Without English," he said, "we cannot work, and without work, we are nowhere." But of course. It is time for educational "experts" to catch on to what most newcomers have always known.

Nor is it enough for children to master only the language of the country in which they live; they also need to learn about its culture. It is exhilarating to walk into a school alive with a sense of the wider world. But it is dismaying to visit a classroom in which one feels in a foreign land. In transmitting national values that transcended ethnic lines, schools traditionally served an integrative function. They still can, and they still should.

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Hertzberg's Complaint

Lucy S. Dawidowicz

THE late Gershom Scholem, the magisterial historian of Jewish mysticism, once reproached Hannah Arendt for demonstrating a fundamental lack of *ahavat yisrael*, love of the Jewish people, in her controversial book *Eichmann in Jerusalem*. A curious charge for a professional historian to make—and yet according to Scholem it was indeed possible, in writing about one's own people, for a historian *both* to maintain critical objectivity and to hold fast to an inner perspective, an empathetic understanding of their trials and travails, their passions and ambitions.

When, in the late 19th and early 20th centuries, amateur historians began to write the story of the Jews in America, their books were, if anything, flawed by an excess of the virtue of affection which Scholem extolled. By and large new to the craft of history, they set out to defend the Jews by documenting their patriotism and praising their "contributions" to America. After World War II, however, the balance was redressed, as American Jewish scholars joined the expanding ranks of professional historians and the apologetic approach gave way to the practice of critical historiography. Over the past thirty years historians and sociologists—the roster includes Naomi W. Cohen, Henry Feingold, Nathan Glazer, Arthur A. Goren, Bertram W. Korn, Jacob Rader Marcus, Moses Rischin, and Marshall Sklare—have produced a varied crop of works about American Jews and their institutions; the great scholar Salo W. Baron, whose death last November left unfinished his multivolumed global history of the Jews, also contributed impressively to the annals of American Jewish history. The books of all these authors are distinguished both by their objectivity and by the quality of *ahavat yisrael*.

It is, however, precisely those virtues that are absent from a new book on American Jews by Arthur Hertzberg.* Indeed, *The Jews in America* is not so much a history as it is a sermonizing put-down in chronological form. The sermonizing comes naturally, for Hertzberg has combined a lifetime career as a congregational rabbi with part-time careers as a professor of Jewish history, a Jewish communal leader, and a polemical journalist. In the past, he produced two highly respectable works—*The Zionist Idea* (1959), an anthology of sources with a first-rate historical introduction, and *The French Enlightenment and the Jews* (1968), a seminal study of the origins of modern secular anti-Semitism. But in writing his new book Hertzberg appears to have abandoned the historian's mode of explaining the past and reverted to the pulpit, except that his is a platform from which to fulminate and not to laud.

Based on secondary sources and lacking footnotes, *The Jews in America* is a hop, skip, and jump through almost four centuries of history. Starting in 1654 with the arrival from Recife, Brazil, of the first 23 Jews in New Amsterdam, Hertzberg skims along familiar historical tracks. He chronicles—superficially, spottily, and sometimes wrongly—the main highlights, era by era, from the colonial period and the American Revolution to the arrival of German Jews beginning in the 1830's, then on to the Civil War and through the mass immigration of the Russian Jews beginning in 1881, with a pop sociological excursus on the Jewish mother. Thereafter Hertzberg races through World War I into the decades of the Red Scare and the Depression, pausing long enough to trash Franklin Delano Roosevelt for not having rescued the European Jews and to scold American Jews for adoring him. Finally he breezes past the Holocaust, the creation of Israel, John F. Kennedy's presidency, and ends with the events of only yesterday.

ONE major refrain and a couple of minor ones run through the book from start to finish. The major refrain is that the Jewish immigrants who came to the United States were not as literate and cultivated as has been advertised, but rather the common herd, the poorest and the least schooled of Europe's Jews. So intent is Hertzberg on demonstrating the ill-breeding of this rabble that he even exaggerates the depth and extent of the social disorders which the traumas of migration and dislocation inflicted on them—crime, prostitution, and desertion.

Thus, for instance, from a mistaken and hyperbolic estimate of 100,000 cases of desertion during the era of mass migration (a figure presumably arrived at by tallying the annual numbers for a cumulative total, without taking into consideration that cases would be carried over from year to year), Hertzberg concludes that "at some point at least one-quarter of the Jewish fathers in America deserted

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* *The Jews in America: Four Centuries of an Uneasy Encounter.* Simon & Schuster, 428 pp., $22.95.

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their families." In fact the rate of Jewish desertion was quite low: during the quarter-century when records were kept by the National Desertion Bureau, such cases accounted for only 10-12 percent of the entire Jewish social-service caseload; the rate of desertion is likely to have been no more than 1 percent of the immigrant Jewish community, and probably even less than that.

According to Hertzberg, these unlettered immigrants were guilty of two unforgivable sins. First, their only ambition was to get rich quick. Second, in trying to get rich quick, generation after generation of American Jews abandoned their faith. The pre-Civil War immigrants from Germany, Hertzberg tells us, "had been coming to succeed, and many had been willing to travel as light as possible on the way to that success by abandoning much or even all of their religious and cultural distinctiveness." So, too, the East European Jewish immigrants in their turn: "They knew that they had to learn American manners, and that the observances of the Jewish religion, and especially of the Sabbath, were obstacles to success." Then, in one grand sweep, he indicts all branches of Judaism—Orthodox, Conservative, and Reform—declaring that "in none of them, not even the Orthodox, was there any serious expectation that the laity would be trained in Jewish learning."

All that the immigrants and their native-born children have retained of their Jewish identity, writes Hertzberg, is "an ethnic culture," little more than traces of their "folk religion" in the old country and memories of anti-Semitism long past. He closes his book with a lament that "American Jewish history will soon end and become a part of American memory as a whole" because American Jews have failed to fashion a "spiritual revival" of "the classic Jewish faith."

Is ANY of this true? The masses of young Jewish immigrants whom Hertzberg disdains for their poverty and ignorance of the Talmud brought to this country assets of which he takes no note—energy, initiative, intelligence, entrepreneurial talent, a zest for adventure, a readiness to face risks. With those assets they succeeded in making a life for themselves and their children on this continent. With those assets they also participated in the social and economic development of the United States, helping to knit the country together as they fashioned new trades and industries.

Moreover, nearly all these Jewish immigrants, from Central Europe as well as from Eastern Europe, were endowed with that vital core of Jewish identity which Yiddish-speaking Jews used to call *dos pintele yid*—the essence of the Jew. This commitment enabled them to shape viable forms of Judaism for the new community in the new world. They established synagogues and rabbinical seminaries. They created new forms of worship as they sought to accommodate their faith and traditions to a modernity they had not known in Europe. In time, they covered the expanse of the United States with a dense network of religious, philanthropic, and cultural institutions and extended their communal obligations to Jews abroad.

Hertzberg has overlooked something the immigrant Jews knew in their bones—that Judaism has always been the religion of the Jewish *people*, and that the nexus between people and faith is inseparable. As early as the 1850's, Hertzberg informs us in unmistakably derisive tones, American Jews had made a "theology" out of helping "their brethren all over the world." Further along he complains that American Jews turned their passion for Israel into their "religion," and that they have converted the remembrance of the Holocaust into a substitute for Judaism. Yet in chiding the Jews for the intensity of their commemorations of the Holocaust, Hertzberg seems to have forgotten that the commandment to remember Amalek, whether it be the destruction of the Temple or the murder of the six million European Jews, is as legitimately a part of Judaism as is the mourner's Kaddish. Similarly, the concern for endangered Jews everywhere in the world and the passion for Israel are as essential to Judaism as is the Hallel, the Psalms of praise expressing joy in redemption.

As FOR Hertzberg's ideas about America, they are similarly muddled and seem, indeed, to owe more to today's politics than to yesterday's history. Thus, Hertzberg endows James Madison's concept of faction with a present-day meaning, enlisting Madison as an advocate of group interests. From Hertzberg one would never learn that Madison held a negative view of the role of political faction, which he defined as a group of citizens "united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community." Madison put his trust in the ability of a representative form of government (rather than a direct democracy) to protect the rights of individuals from the "mischief of factions." He also hoped that a large state, with its diverse parties, interests, and classes of citizens, would be more likely than a small one to secure the individual's liberties from the "tyranny" of "interested combinations of the majority."

But Hertzberg has turned Madison upside down, and has him arguing that "social disharmony, the continuing warfare between many, often dissimilar subgroups, was the surest guarantee of liberty." He recasts Madison's America in the image of the Hapsburg empire, or perhaps rather of American group politics in the present, Balkanized age of affirmative action and quotas, wherein ethnic and religious groups engage in contentious competition for "rights" and entitlements.

Hertzberg is just as confused in explaining the place of Jews in America and their relations with Christian society. In one passage, he tells us that "the Jews were a *sui generis* minority; . . . this was not a multireligious or multiethnic country; it was a Jew/Gentile country." Some fifty pages later, he has changed his mind: "But Amer-

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ica was not simply a Jew-Gentile country. There were Catholics and blacks, major 'outsiders' like the Jews, who represented one-third of the American population." Such absent-mindedness on fundamental questions—the book is in fact riddled with inconsistencies of this sort—reminds me of letters I sometimes get from Very Important Persons, bearing the secretarial notation, "Dictated but not read."

HERTZBERG makes no attempt systematically to explain Christian attitudes toward Jews, which have always been marked, though one would hardly know it from his book, by philo-Semitism as well as by anti-Semitism. Nor has he coherently addressed the complexities of American anti-Semitism, associated as they are with recurrent cycles of xenophobia. He is spotty in dealing with the most important anti-Semitic episodes in American history, making no mention, for instance, of the Leo Frank case of 1913. And when he comes to the 1920's and 30's he is at a loss to distinguish the sporadic and haphazard anti-Semitic events in the United States from full-blown anti-Semitic persecution in Eastern Europe, orchestrated by national governments.

Here is his caricature of Jewish experience on both sides of the Atlantic:

> In the 1920's and 1930's, American-born Jews in New York and Chicago were almost as much in the ghetto as Polish-speaking Jews in Warsaw or Rumanian-speaking Jews in Bucharest. To be sure, there were no pogroms in America and little physical violence, but many occupations excluded Jews entirely.

As Hertzberg tells it, things were so bad in the United States before World War II that "almost no Jew could make a free, personal decision about his education and career. . . . There was a fence around Jews."

That fence was not quite the obstacle Hertzberg would have one believe. Restricted in their admission to Yale and Harvard (even if they could have afforded the tuition during the Depression), Jews flocked into America's free public colleges and universities. Turned away from certain sectors of the economy, they used their entrepreneurial skills to create their own businesses or entered the public sector, becoming part of the civil-service bureaucracy as clerks, postmen, teachers, and social workers. The children of the sweatshop immigrants became white-collar workers and professionals. They began to make their way into the political system, mainly through the Democratic party. No other religious or ethnic group before them so rapidly attained to so high a level of educational achievement or enjoyed such dramatic social mobility.

Hertzberg is obsessed with economic or class anti-Semitism—this is one of the minor refrains of his book—which he says has plagued the Jews in America since the days of Peter Stuyvesant. He even invents an episode in which he converts the violence of the New York draft riots of 1863 into a war on the part of Irish laborers against the Jewish middle class. In fact things did not happen that way. Enraged by a recently enacted draft law that would compel them to fight—and perhaps die—for the blacks they hated, mobs of Irish longshoremen and factory hands indiscriminately set fire to business and residential sections of New York, plundering houses and businesses, murdering more than 150 blacks, beating to death an Army colonel, fighting the police, the militia, and federal troops.

HERTZBERG's obsession has led him to misread the most famous (and infamous) anti-Semitic episode in all American history—the expulsion of Jews from the area under the jurisdiction of the Union Army's Department of Tennessee during the Civil War. The reason given for the expulsion order, signed by General Ulysses S. Grant, was that "the Jews, as a class," were violating the Treasury Department's regulations attempting to halt the vast illegal trade between North and South in arms, gold, and especially cotton. Jews were, in fact, a relatively small proportion of those engaged in the "nightmare of profiteering" (in one historian's words), in contrast to the dominant role of officers and men of the Union Army, including Grant's own father and father-in-law. Civil War historians today hypothesize that Grant deliberately used the Jews as a scapegoat to divert attention from the misdeeds of his family. But Hertzberg insists on a contrary view, maintaining that the Jews were more or less guilty as charged—what else, one supposes, could be expected of such low, uneducated types?—and even intimating that Jewish historians before him have suppressed the true facts because of their "apologetic fervor."

Apart from thus blaming the Jews for their own victimization, Hertzberg skips lightly over the suffering and degradation of the men, women, and children forcibly expelled from at least three communities (Paducah, Kentucky; Holly Springs and Oxford, Mississippi), and, more importantly, he fails to consider the implications of a government agency's singling out Jews "as a class" for persecution.

Happily, because this is an American story, the suffering and the persecution were soon ended. Several Jews in the affected area hurried to Washington to see President Lincoln. As soon as he heard their story he instructed the General-in-Chief of the Army to have Grant rescind the order. A few days later, another Jewish delegation, come to thank the President for his intervention, reported that he said: "I do not like to hear a class or nationality condemned on account of a few sinners." In writing the history of this period Hertzberg, who may be immune from "apologetic fervor," could have used a dose of Abraham Lincoln's medicine.

THROUGHOUT, in still another refrain, Hertzberg emphasizes the importance of power to the Jews in America. By "power" he presumably means the effect of the Jewish vote in elections and of Jewish pressure on issues of particular

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concern. According to him, it was after Roosevelt's death that American Jews discovered that "it is power that really counts," and they spent the next two decades "making sure that power in America was not the monopoly of Gentiles." Finally, in 1960, learning from the "black revolution," Jews concluded that they "could rise in America only to the degree that they, like all other groups, acquired and held onto some power in the continuing jostle of American society."

Hertzberg's illustration of Jewish political clout in 1960 is, however, scarcely convincing:

> It was particularly significant to Jews that the election was so close that Kennedy could not have been elected without them. . . . Jews were proud that they had been so crucial to helping the first Catholic into the presidency and that they had thus helped reshape America. . . .

Actually, Richard Daley's Democratic machine in Chicago is widely credited with having helped to elect Kennedy, who won Illinois by fewer than 10,000 votes. A similar story has been told about the Democratic machine in Texas.

Despite his frequent references to the Jewish need for, and achievement of, political power, Hertzberg never explains precisely what this power is, how it is acquired, or how it is exercised. Since the Jews are a tiny minority in the United States, no longer even 3 percent of the population, they are hardly in a position to exercise power either through coercive force or even through legitimating authority. Jews have had some influence in political life, but clearly they have never had the power to do whatever they liked nor have they ever enjoyed sufficient influence to make others do what they wanted them to do.

EVEN in the one area which Hertzberg refers to as to the most enduring and successful example of Jewish influence on public opinion and politics—namely, the effort to win support for Israel—American Jews have succeeded not only because of the skills and resources which their organizations have brought to the task but because most Americans regard support of Israel to be in the best interests of the United States. The peaceable, noncoercive exercise of this sort of "power" over other people requires, at the least, a minimum of acquiescence, consent, or cooperation.

Nowadays American Jews are confident enough of their place in society to speak out vigorously on behalf of Israel, even though they do not exercise real political power. At home in America, Jews are in every respect still in the process of learning to live in a pluralist society and to balance their Jewish identity with their Americanness. The drama of this three-centuries-old balancing act is a fascinating, even an inspiring, one. If Arthur Hertzberg had approached it more in the spirit of Gershom Scholem than in that of Hannah Arendt, he would have found that it yields more than a touch of nobility, despite the fact that its principal actors, only plain people, have been neither saints nor scholars.

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Cutting Beethoven Down to Size

Samuel Lipman

In the past decade or so, the whole question of musical performance has become a matter of contention in a way it has not been since the rise after World War I of the pianist Artur Schnabel, the violinist Joseph Szigeti, the harpsichordist Wanda Landowska, and, especially, the conductor Arturo Toscanini.

Though each of these immensely successful performers had his own characteristic personal style, they all were perceived as in some sense "modern" rather than "romantic." In this battle, "modern" came to stand for a literal and cool (if, for many, austere) approach to the music, with an emphasis on playing each note, and realizing each performance instruction, as written by the composer. The result was an imposing presentation of the overall outline of every composition, and a corresponding refusal to exploit particularly affecting individual moments.

By contrast, "romantic" connoted an approach to the music sometimes perceived (for example, in the cases of the violinist Fritz Kreisler and the conductors Serge Koussevitsky and Leopold Stokowski) as imaginative and warm, and sometimes merely brilliant (in the cases of the violinist Jascha Heifetz and the pianist Vladimir Horowitz). Whether thought to be imaginative and warm or merely brilliant, the result was a musical effect created by treating the notes as clay in the performer's hands, with a corresponding refusal to sacrifice individual features to considerations of architectonic structure.

It quickly became clear that the battle between the "moderns" and the "romantics" was not a battle between mind and heart, between science and emotion, but rather a battle among different kinds of sentiment and different means of conveying sentiment. By the 1970's, however, instead of a fierce contention among schools of performance, the struggle had degenerated into a generalized cult of personality, with each increasingly less individual performer measured artistically by commercial success in concert halls and in record stores.

One of the main efforts to fill the resultant vacuum has been the authentic-performance movement. This movement has been many years in the making, and goes back at least to the beginning of our century. It is an offshoot of the early-music revival—the pushing back of the chronological frontiers of the performed repertory from Bach to the Middle Ages and even before. But while the early-music revival was concerned first with the rediscovery of unknown works and only then with their performance, the currently fashionable authentic-performance movement concentrates on finding a different way to render music that is already widely known and indeed much loved.

The authentic-performance movement has three components. First, there is the required employment of original instruments—instruments resembling as closely as possible those on which the music was to be played at the time of its composition. Second, there must be a reliance on what remains of the composer's original text, freed of all inadvertent error in transmission and publication, and of all subsequent editorial emendation. Finally, as currently defined, authentic performance necessitates the use of original performance styles—the complete observance of the composer's explicit indications, and an untiring attempt to recover all that can be known of the unwritten, customary, and taken-for-granted methods of deciphering and implementing his written notation.

Thus, superannuated instruments are sought out and, if unavailable (or too far gone to restore), are closely copied: these extend from early organs, harpsichords, and pianos, to discarded and often difficult-to-play winds, brass, and drums. Even new string instruments are not exempt from replacement by old—for though there has in fact been little if any development in the basic design of the instruments themselves since the time of the great 17th-century Italian craftsmen, in music written before 1750 or thereabouts forms of the viol family were called for that are now obsolete, and the shape and weight of the bows, as well as the materials from which strings are made, have also greatly changed over the years.

In the area of texts—the notes from which musicians play—the emphasis is on discovering the composer's intentions. To do this, it is necessary to separate, in as rigorous a fashion as possible, the composer's bare notes and directions—very much including his tempo indications—as well as the additions and modifications his earliest performers have supplied unbidden, from what later generations of editors and performers alike might provide in the way of explication, amplification, and deciphering.

Authentic-performance specialists are aware, as musicians have always been, that notes, to live, must be interpreted. The rules that guide and control this transition

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from printed symbols to vibrant sound make up what is called style. In authentic performances the sought-after styles, including details of rhythmic execution, instrumental techniques, and concert pitch, are those contemporaneous with the composer—the exact way a composer might have heard his works when they were first rendered, at the time of their composition or shortly thereafter, by the best and most representative executants of the day.

WHAT I have just written, schematic as it is, is enough to suggest just how vastly different the authentic-performance movement is from what has until now been the accepted method of musical performance. Whereas the new approach is based on the use of scholarship to recapture a lost material reality of physically existing instruments, written texts, and definable styles, the best that has gone on over the past century and more in concert halls and opera houses has stressed spiritual insight—the empathic projection of the minds and talents of performers into the creative souls of great composers. In an older day, the greatest of performers were regarded, and regarded themselves, as quasi-divine beings who knew no rules to guide their instinctive furthering of the essence of the music and therefore could not be bound by them; now, despite many glib references to inspiration, for the most active of the new breed of performers, just as for the academic historians whom they so much resemble, everything is facts and rules of evidence.

The authentic-performance movement gained its first foothold in the compositions of Johann Sebastian Bach. This body of immortal music qualified in every way as a subject for scholarship: it was great; it was vast; it was well documented; it was intellectually complex; it was successful both with an educated nucleus and with a large public. The beginnings of authentic Bach performance go back as far as the monumental late 19th-century German editions of his works; the movement took a quantum leap forward after World War I, when Wanda Landowska's concerts and recordings on a specially built Pleyel harpsichord, with a tonal power and a timbral flexibility previously unknown, severed the century-old linkage of Bach's keyboard music to the formerly ubiquitous piano.

Another leap in the number of authentic performances of Bach solo and ensemble works occurred with the post-World War II explosion in electronic technology, when the introduction of magnetic tape and the LP made possible easily produced, cheap, and noise-free recordings—often by little-known artists—of the entire musical corpus. The surest sign of the triumph of the historical approach in Bach performance (in addition to the highly visible increase in the number of putatively authentic performances) has been the use of traditional instruments—in particular the piano—to sound bright, dry, and in every other possible way like the historical instruments which they so long ago replaced.

Once Bach performance had been colonized by the authenticists—and this process was essentially complete in the 1960's, by which time Bach-playing on the piano or by large orchestral forces, with the inevitably heavy dose of "feeling," was already seen as intellectually infra dig—it was only a short step to rolling the new historico-scholarly approach forward to classical and early romantic music: Haydn, Mozart, Schubert, and Beethoven.

As far as Haydn is concerned, a veritable ocean of research, much of it done by the American scholar H.C. Robbins Landon, has affected the performance of all the areas in which this composer worked, including his operas, symphonies, and string quartets. The musical effect, which can be noticed by comparing the spacious recordings of the past with the emblematically tight-sounding new recordings of Haydn symphonies by the Academy of Ancient Music under the English conductor Christopher Hogwood, has been to replace the traditional idea of the conductor as musical visionary with the up-to-date figure of the conductor as historical researcher, administrative agent, and time-beater.

Mainstream performances of Mozart, though perhaps not quite so taken over by the imperatives of scholarship, now increasingly display a thinness of sound, a stiffness of rhythm, an avoidance of sentimentality—and a laboriousness of instrumental execution—directly traceable to the new intellectual currents. For their part, the historically authentic Mozart performances now available fully demonstrate the new rationality. Once again Hogwood (who has recorded all the Mozart symphonies) is illustrative of the trend; another is the Dutch early-music specialist Frans Brueggen. To understand the immense changes in Mozart-playing that these contemporary versions document, one need only compare them with the pre-World War II recordings, at once sprightly and weighty, of the inimitable Sir Thomas Beecham.

In Schubert's music, the new development these days is the use of the fortepiano, a predecessor of the modern concert-grand piano that flourished in the last quarter of the 18th century and the first quarter of the 19th. The fortepiano, often mechanically inefficient and unreliable, is now widely praised as rich in color and vibrant in tone. As played on new recordings by one of its foremost contemporary exponents, the Singapore-born Anglo-Chinese pianist Melvyn Tan, this instrument brings to Schubert keyboard works all the spuriously fruity twangs characteristic of generations of poorly maintained upright pianos. Even if Mr. Tan is not to be held responsible for the sound of the instrument he has chosen, his performances remain flat, unfeeling, and clumsy; in this music, the pre-World War II recordings of Edwin Fischer and Artur Schnabel, for all their lack of modern scholarship, remain touchstones.

THOUGH the conquests of the authentic-performance movement in the music of Bach, Haydn, and Mozart have been undeniable, it is the application of this new ideology to the playing of Beethoven that seems to me to raise the most

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important issues for our musical life. Now, more than two centuries after his birth in 1770, Beethoven has become the central composer of our Western musical tradition. In purely chronological terms, Beethoven occupies a position, looking at once backward and forward, in the middle of Western musical development from 1600 or thereabouts to the present day. It is highly likely that in concert programs his music is played more than that of any other composer. And beyond mere popularity, there can be no doubt that Beethoven's compositions, as individual works and as a total achievement, form both the basis and the very definition of three fundamental musical genres: with his nine symphonies Beethoven created our idea of the symphony, and the same can be said, *mutatis mutandis*, of his thirty-two piano sonatas and his sixteen string quartets (to which must be added the *Grosse Fuge* op. 133).

Opinions may differ as to why this primacy of Beethoven in our musical life should be so universally accepted. The simplest answer will stress Beethoven's unique greatness as a composer, but this explanation hardly suffices. For whatever the exact nature of his greatness, there can be little doubt that in complexity of workmanship, Beethoven stands a distant second to Bach, and in refinement of expression, he stands a distant second to Mozart. By contrast, the cynical will no doubt say that Beethoven is so popular because he is so much played, but surely this easy answer only begs the question. Others will point to the historical connection between the rise of Beethoven's popularity and the rise of the European middle classes in the 19th century and after, but this confuses temporal association with cause, and in any case runs the risk of reducing truly great art to mere sociology. Still others, arguably closer to the mark, will speak of the atmosphere of courage, heroism, and frequent triumph which Beethoven's music breathes and exudes. For the advocates of this position, even Beethoven's rapt and contemplative lyricism only completes the marvelous strength with which his music abounds.

BUT whatever the reasons for the place we accord to Beethoven, the fact of his primacy remains. And so any movement in performance that itself strives to be central must offer a convincing solution to the ever-repeating riddle: how is Beethoven's music to be performed?

Not surprisingly, given the close relationship that has always existed in England between intellectual and musical activity, many (though not all) of the new Beethoven performance currents have come from London, and from there have made their way, mostly via recordings, to America and the rest of the world. To date, there are two complete recorded versions of the Beethoven symphonies (and many of individual symphonies as well) satisfying the present criteria of authenticity. They come from Roy Goodman and the Hanover Band* and Roger Norrington and the London Classical Players†; a third complete version, not yet available as a set, is by Christopher Hogwood and the Academy of Ancient Music.** All these recordings use period instruments, texts purged of later editorial accretions and followed zealously, and performing styles formed by the latest scholarly reports of what the available documents reveal of the codified and/or merely understood practices of Beethoven's own time.

On the whole, the critical reaction to this approach has been ecstatic. Here, we have been told in publications from the prestigious English record magazine *Gramophone* to the equally prestigious New York *Times*, is Beethoven's music *wie es eigentlich gewesen* (as it really was). Still, there are distinctions drawn among those praised, and the clear critical winner thus far in the authentic-performance derby has been Roger Norrington.

Now fifty-five, and for many years the musical director of Kent Opera, Norrington (in addition to his work with the London Classical Players) is currently chief conductor of the Bournemouth Sinfonietta, and also a busy guest conductor in England and abroad. He has been discussed in the *Gramophone* in the company of Toscanini and Karajan; for the now-defunct *High Fidelity*, too, he was "the most talked-about Beethoven conductor since Toscanini"; for the New York *Times*, "No one is more admired in this [Beethoven] repertory than Mr. Norrington"; the musicologist Richard Taruskin, writing in the also defunct *Opus* (and despite his many reservations about authentic performance in general), has no doubt "that Roger Norrington is to be the next great Beethoven conductor."

So enthusiastic is the praise for this new arrival on the scene, and so inevitable is the final hegemony of the movement he represents made to seem, that the music lover may well feel he has no other recourse than to learn to like what is being offered. There is no better cure for such intellectual conformity than a bit of tough-minded listening.

AS ONE makes one's way through Norrington's recordings of the Beethoven symphonies, one soon recognizes that they indeed sum up the authentic-performance movement. Here, to begin with, are all its characteristic tonal features: string sounds, especially when unaccompanied by the other sections of the orchestra, reminiscent of what is produced by a harmonium; raucous wind playing, marked not just by shrill tone but by gross unevenness and unpredictability; clumsy brass playing, by turns muffled and shrieking, tympani sounds resembling what happens when a bean-bag is dropped on a tabletop. Overall balance between sections, assisted by the weakness of the string playing and by the brute force of (especially) the trumpets and the horns, so favors the winds and the brass that essential melodic features when played by the strings (the opening theme of the Eighth

* Nimbus CD 5144/48.
† Angel CD A26 49852.
** The Hogwood Ninth has just been issued on L'Oiseau-Lyre 425 517-2.

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Symphony is a case in point) are often blotted out. Taken together, these attributes produce a choked, clipped sonority dependent on the booming acoustics of the recording space and on the addition of electronic resonance for any life whatsoever.

Though difficult to separate from the sound-ideal of authenticity, all the now much-admired features of the new phrasing are on these records as well: short note durations; much attention to detached playing in fast passages; strident accentuation; over-regular organization by bar-lines as a substitute for the natural flow of melodies. Tempos, as always proudly fulfilling Beethoven's own metronome markings, seem most strikingly to be chosen from a range restricted to fast, faster, and fastest. The use of the *ritardando*—the predictable slowing-down at ends of phrases and sections, omnipresent in romantic musical performance—is limited to the relatively few occasions when explicitly required by the composer; elsewhere—which means almost all the time—the foundation of the performance, in a way Beethoven could hardly have desired or even imagined, is the tick-tock of the metronome.

So prevailingly headlong is the pulse in these Norrington records that Beethoven's music is made to seem a perfect representation of the sign in Barnum's circuses, "This way to the egress." Everywhere, there is a lack of breadth and space. Though the performances are short-winded, the music does not breathe. Because the music does not breathe, this quintessentially passionate music conveys no passion. All the reviewers, it is true, speak of the coruscating excitement they seem to get out of Norrington's work, but this verdict only proves how indistinguishable in modern criticism true excitement is from mere panic.

These performances are, in short, consistently bad—and what is bad about them is precisely the result of the fleshing-out of all the absurd musico-intellectual pretensions of the authentic-performance movement. Instruments existing only as copies of broken-down originals, and made with modern materials and by modern techniques, are seen as authentic; they are played by musicians trained on modern instruments, and not by the very best musicians either; implicit reliance is placed on texts of varying reliability; performing directions are taken from conflicting treatises written in many cases by pedants.

WHAT is striking about the badness of these performances, however, is not their inadequacy as music-making or their relative inferiority to many other available recordings of the Beethoven symphonies, but rather the sameness that is made to suffuse these very different works. In Norrington's performances, there is not a jot of aesthetic or affective difference between the First Symphony (1800) and the Ninth (1822-24); for this conductor, evidently, everything must sound as if it comes out of the same hurdy-gurdy. The impression of consistency is remarkable in that it constitutes a total rejection of the principle of development in Beethoven's music. In our formerly benighted age—the period, that is, from Beethoven's life to the coming of authenticity and, now, of Roger Norrington—the composer was thought to have begun as a young man infusing classicism with the stirrings of heroic romanticism; in his middle period he was thought to have shaken his fist at the world, substituting for its rejection of him (and, in turn, for his rejection of *it*) his own will; as he approached death, it was thought that he had come to embrace life and the world, writing the unforgettable closing movement of his last great work, the String Quartet in F major, opus 135, under the motto *Muss es sein? Es muss sein* ("Must it be? It must be").

If one finds the miracle of development in Beethoven to lie at the core of his musical persona; if one expects performance to fulfill the duty of making this development explicit in all its scope, variety, and depth—then these Norrington performances are not merely bad, but scandalous. Of course, to call any artistic product a scandal today is, I am well aware, to run the risk of paying what will be taken by many as the highest compliment. But the scandal I have in mind is nothing less than Norrington's all-out attack on the foundations of Beethoven's greatness. Thus, in an interview in the *Gramophone* in April 1989, he spoke of the pleasure he takes in the widespread recognition that he has succeeded in adding humor to Beethoven's seriousness:

> This is something Victorians and puritans and followers of the Ayatollah just can't understand: that you can be deeply serious and humorous at the same time. It's the heart of the matter. I think this idea that music should be *sehr ernst* [very serious] and not a matter for humor all began in the Victorian era when music was an upper-class activity that separated you from the trogs. Also, the time when all this heaviness set in was the time religion was really being challenged in a major way, and for a while music took over the significance of a religion—it acquired stained glass—and Wagner was the arch-priest. Now it was the "mystical world of German music"—it had to be seen to be difficult, heavy, plush, an embodiment of authority—everything that Beethoven was against. And certainly any authority that stands up and says "We are right, my boy" I can't stand.

IT IS PLAIN, then, that the source of the consistency with which these records are suffused is Norrington's attempt to reconstitute Beethoven *not* in the authentic terms of the reality of his times and of his artistic and human persona, but in terms of the postmodern effort to humble once-mighty artists, thinkers, and values. The musical—and, I would venture to add, the human—result of Norrington's success in cutting Beethoven down to size is to be found in the utter failure of his hasty and heedless presentation of the most sublime moments of this music: the epic Funeral March of the *Eroica*, the hushed transition to and triumphant arrrival of the last movement of the Fifth Symphony, and above all the pity-laden Adagio and the hymnic finale of the Ninth.

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It is no defense, either of Norrington or of his devotees, to adduce Beethoven's metronome markings as justification for these musical crimes. Any musician with experience in playing music by living composers knows that of all their performance directions, metronome markings are the least viable, consistent, and trustworthy. The reasons, very much applying to Beethoven, include distance in time from the work's actual composition, inexperience with the requirements of performance, a frequent disdain for the very fact of performance, and above all the composer's preexisting and complete knowledge of the content and structure of the music, a knowledge which no audience—and few performers either—can be expected to possess. Here, then, in the area of tempo, is ultimately where the entire ideology of authentic performance comes apart: ultimately, the interpreter must find the right tempo for himself.

If there is no composer-provided certainty of tempo, it remains true that tempo in itself, in its direct ability to express mood and clarify structure, is the single most important determinant of the effect of a performance. The experience of listening to this music in Norrington's execution, with its slavish reliance on Beethoven's metronome markings, while at the same time remembering the performances of such conductors as Toscanini, Furtwängler, and Bruno Walter is, in a sense perhaps different from that which Shakespeare intended in *Henry V*, an experience of "minding true things by what their mockeries be."

If we have had the good fortune to hear Beethoven in great performances, we can indeed mind true things. But what if we have not had this fortune? What if the prospective new audience—young, and for the most part ill-educated and often ignorant—comes to music believing what it reads in reputedly prestigious publications? What, in other words, if the future audiences for these treasures of our civilization think, as they are incessantly told, that they are being given the true Beethoven, when it is really, in the most important sense, a mockery?

I do not know where the flood of contemporary performances may be found that are now so needed to communicate this great music once again. I do know that for all their presumptive newness, the Norrington Nine are merely the latest version of an old assault on the corpus of beauty.

Fiction

Agnon Without End

Alan Mintz

The translation for the first time of a major work by S.Y. Agnon (1888-1970), the greatest writer in modern Hebrew, is sufficient cause for celebration; the fact that this work is a novel makes the event that much more interesting, but also more equivocal.*

Agnon, who was born and brought up in Eastern Europe and moved to Palestine for the first time in 1907, most naturally displayed his narrative genius—and gained his early fame—in short fictions which made ironic use of two traditional Hebrew forms, the midrashic vignette and the hasidic tale. When it came to writing novels, Agnon similarly constructed them by stringing together cycles of related stories. This resulted in sprawling, epic works which, despite their thematic intricacy and symbolic power, were always in danger of breaking down and breaking apart.

Agnon's transactions with the novel as a form encountered other difficulties as well. As the quintessential literary expression of the secular middle classes, novels required close attention to a particular set of themes: domestic relations, individual ambition, and, classically, adultery. This presented an immense challenge to a writer who had deliberately cultivated the persona of a pious storyteller; yet as a modern writer Agnon could hardly avoid this challenge without dooming his work to provincialism. In a novel of fairly limited scope, like *A Simple Story* (1935), Agnon's grasp of the medium is masterful. The bigger novels, *The Bridal Canopy* (1937), *A Guest for the Night* (1939), and *Just Yesterday* (1945, still untranslated), are always fascinating yet sometimes unreadable.

Shira is Agnon's problem novel. He began writing it in the late 1940's and published many chapters separately in periodicals; then

ALAN MINTZ *is Robert H. Smith Professor of Hebrew Literature at the University of Maryland. His new book,* "Banished from Their Father's Table": Loss of Faith and Hebrew Autobiography, *was published by Indiana University Press last fall.*

* *Shira*, by S. Y. Agnon, translated by Zeva Shapiro, with an afterword by Robert Alter. Schocken Books, 585 pp., $24.95.

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it was consigned to his drawer. Several more chapters appeared around the time he received the Nobel Prize for Literature in 1966, and he was actively at work on the book in the years before his death in 1970. On his deathbed, Agnon asked that *Shira* be published in its incomplete form; it appeared a year later, and in subsequent editions, carrying alternative endings, one of which indicated a direction the novel might have taken but did not.

For the reader, this unrealized aspiration is no cause for lament. In the new English translation, what we have of the novel is equal to the best of Agnon and takes his writing into new thematic territory; that is no small thing. The workmanlike translation by Zeva Shapiro tends to be overly faithful to the singular patterns of Agnon's style, which has the advantage of suggesting what the Hebrew might be like, though it fails to recast Agnon as an author whose writing attains an independent embodiment in English.

Shira is set in Jerusalem in the late 1930's and centers on the figure of Manfred Herbst, a lecturer in Byzantine studies at the newly created Hebrew University. A scholar of considerable erudition and integrity, Herbst has bogged down in his career after the success of his first book; a new work, a monograph on the burial customs of the poor of Byzantium, lies scattered on innumerable index cards and shows few signs of ever being written and securing him his professorship.

Herbst's comfortable life—he has a protective and affectionate wife and two grown daughters—is disrupted when his wife becomes pregnant and gives birth to a new daughter. In the hospital's maternity ward, Herbst meets a nurse named Shira and begins an affair with her on the very day of his wife's delivery. Although he sleeps with her only a few times and she herself disappears midway through the novel, Herbst becomes obsessed with Shira. His work grinds to a halt; his family life becomes intolerable to him; and his psyche is delivered over to grotesque sadomasochistic dreams.

The main body of the novel in its present state leaves Herbst sucked into the downward spiral of obsession. The unfinished portion was apparently intended to lead up to the fragmentary concluding chapter Agnon attached to the manuscript, in which Shira is discovered to have contracted leprosy and to be living in a leprosarium. Herbst joins her there; embracing and kissing her, he willingly becomes infected with her disease in order to be with her always.

ADULTERY has been a staple of the novel since *Madame Bovary* and *Anna Karenina*; for Agnon, it serves less as an erotic theme than as a device for portraying the breakdown of a world view: the liberal German Jewish culture embodied in Manfred Herbst. Jerusalem of the 1930's as it is depicted in *Shira* is awash in German Jews—scholars, physicians, daughters of good families—who have fled Nazism only to find themselves at loose ends in an unfamiliar Zion. Their displacement is emblematized by many rare volumes and first editions of German classics that have come into the hands of Jerusalem booksellers as the impoverished refugees sell off their libraries to keep body and soul together. Although Herbst himself came earlier, before the rise of Hitler, out of vaguely Zionist motives and on the strength of an offer of a post at the new Jerusalem university, and although he has learned Hebrew and feels at home in Palestine, he remains very much the creation of German Jewish culture.

This is nowhere more evident than in Herbst's commitment to the vocation of scientific humanism as expressed in his scholarship. His researches into early Byzantine Church history are impelled by the conviction that the path to truth lies through the careful and dispassionate investigation of past events, no matter how seemingly removed from the exigencies of the present. This pursuit is undertaken in the esteemed and cherished company not of persons but of books, which become eroticized objects. (The novel abounds in vignettes of bibliomania and bibliophilia.) Yet Herbst's soul has nothing of the arid pedantry of George Eliot's Casaubon in *Middlemarch*. His mind is steeped in German romantic poetry, and he makes notes toward the writing of a dramatic tragedy of his own. Politically, his liberalism extends to an identification with the Brith Shalom group, which in the Palestine of those days favored a binational accommodation with the Arabs. Even the family circle partakes of the German Jewish ethos: an intelligent and solicitous wife who insulates her scholar-husband from the nuisances of domestic life, and strong-willed daughters raised to be useful and independent.

For all its attractiveness, however, this blossoming of late bourgeois intellectual culture curiously displaced to Jerusalem is presented in the novel as being ripe for destruction. It is being obliterated at its source as the forces of nonrationality triumph in Germany. Herbst's wife Henrietta wanders among the offices of the British Mandatory bureaucracy in a vain search for immigration certificates for her relatives at home. The Arab attacks against Jews, which intensified in 1936, come uncomfortably close to the Herbsts' house in an Arab neighborhood of Jerusalem. Unbeknownst to Herbst, his daughter Tamara has become a member of an underground group set upon evicting the British by force. Even the world of the Hebrew University, with its largely German or German-trained professoriate, is less bent on the discovery of truth, however rarefied, than it is preoccupied with jealousies of rank and reputation. The utter secularity of Herbst's world, its radical and complacent alienation from the sources of Jewish faith, is underscored obliquely by the novel's intrusive narrator, who observes his subjects from a point of view much closer to the religious tradition.

THE agent who precipitates the disintegration of this world view is unlikely indeed. The nurse Shira, the object of Herbst's obsession, is neither young nor conventionally appealing. What attracts Herbst

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about her seems to be the mannishness of her sexuality, its freedom and nihilism. She is disdainful of religion and ideology and finds her only fulfillment in caring for the sick and suffering. In contrast to Herbst's German civility, she, who comes from Eastern Europe, fascinates him with an account of her flight naked into the Polish snows in escape from her lover on their wedding night.

As a character, Shira is both overdetermined and underrealized. This touches directly on what makes *Shira* a problem novel, and on what makes the novel as a genre a problem for Agnon. We know little about the nurse. Herbst's contact with her is very limited, and midway through the novel, as I have mentioned, she disappears altogether. (The freckle-like protuberances on her skin, noticed in the first chapter, turn out to be the early signs of leprosy.) Yet the temptation to underestimate her role in the novel, to see her as, in essence, merely the exotic catalyst of Herbst's undoing, is contradicted by Agnon's naming the novel for her, by the narrator's insistence that his story is as much about her as about Herbst, and by the fragmentary conclusion in which the two are united in a leprosarium. Shira is clearly very important to what Agnon wants to do in the novel, but the nature of that importance is never entirely demonstrated.

Most critics have sought to resolve this dilemma by invoking allegory, as Robert Alter has done in his eloquently argued afterword to the new English translation. Thus Shira, whose name means "poetry" in Hebrew, is understood as a figure for the subversive modernist fusion of eros and art; what circulates in Herbst's mind, then, is not the 19th-century poetry of sentiment, but a Nietzschean melody fueled by the darker forces of life and death. It is exposure to this troubling power that pulls down the foundations of the world built by German Jewish culture.

Such a reading of Agnon's novel, as with most allegorical solutions to literary puzzles, produces in the uninitiated reader a momentary thrill of recognition as the pieces suddenly appear to come together in a profound, overarching scheme. But the *frisson* of comprehension soon dissipates when one attempts to analyze *how* the pieces fit together. Whatever the meaning of Shira's name, it is hard to see how so perverse and sketchily rendered a character can bear the weight of such large designs.

Still, in the end we cannot do without allegory of some kind. In *Shira* one senses that the inherent limitations of Herbst's world view are being exposed by Agnon not out of any pleasure in documenting its dissolution but out of a belief in the existence of some transcendent, alternative realm. The identity of that realm is never named, but its latent power is everywhere suggested. The transfiguring idea—call it what you may: art, eros, purity, spirituality—can simply not be accommodated by the this-worldly resources of the novel as a genre. For this reason I believe the novel could not be finished. Agnon's deathbed instruction to publish *Shira* in its incomplete state may thus have signaled his final acknowledgment and acceptance of that impasse.

We must be grateful, however, for his last-minute instruction, for there can be no other work of literature, however fully realized, which presents the contradictions of the modern Jewish imagination as powerfully as this incomplete masterpiece.

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Joshua's Tale

AND THE WALLS CAME TUMBLING DOWN. By RALPH DAVID ABERNATHY. *Harper & Row. 638 pp. $25.00.*

Reviewed by
RICHARD JOHN NEUHAUS

RALPH DAVID ABERNATHY'S autobiography has been subjected to a concerted and often uncivil attack by the civil-rights establishment, led by Benjamin Hooks of the NAACP. The ostensible reason is Abernathy's unedifying account of Martin Luther King, Jr.'s activities during his last night on earth. Another reason is that, since King's death in 1968, Abernathy has not been a team player. He has declined the office of a mere appendage to King who ought to have receded into the background after his death. He has insisted, instead, that he is Joshua to King's Moses; in the biblical story, one recalls, it was under Joshua's leadership that the walls of Jericho came tumbling down.

In the last few years we have been given several books combining the biography of King and the history of the civil-rights movement, notably David Garrow's *Bearing the Cross* and Taylor Branch's *Parting the Waters*. Abernathy's work deserves an honored place in this company even though it is a different sort of book: an autobiography written with sometimes embarrassing candor and an almost painful ingenuousness.

Of course, the story of Ralph David Abernathy is, in largest part, a story of the movement. "I was there from beginning to end," he writes, "from the Montgomery bus boycott in the late autumn of 1955 to Memphis in the spring of 1968 to Washington in 1988. No one else experienced it all, so no one else can really tell the whole story from the viewpoint of an eyewitness." And Abernathy is well aware that he is telling some things others believe should be passed over in silence. "But I believe," he asserts, "everything that happens is valuable and should be preserved, filed away in its proper place, an essential part of the meaning of the universe, which only God can completely understand."

The first three chapters are an exceptionally evocative depiction of black childhood and youth in the pre-civil-rights South. In Hopewell, Alabama, Abernathy was born one of twelve children to a fiercely independent father and a mother who is to him still the icon of strong love. They were farmers, prosperous by the measure of the time. Life turned around family and church, and the Abernathys were greatly respected by blacks and whites alike. "In my case there was never any discrepancy between what my parents taught me and the way they behaved themselves. They lived up to all expectations and kept all promises."

It was in some ways a small world from which the leadership of the movement would arise. Abernathy, King, and Andrew Young all took their wives from neighboring Perry County, Alabama. And it was a world ever so much more tranquil and ordered by personal and communal virtues than anything they would know again. Indeed, critics of the civil-rights movement could misuse this book to suggest that the entire enterprise was a terrible mistake. Obviously, Abernathy does not think so, but his narrative bespeaks a powerful nostalgia for what cannot be retrieved. For example, and later rhetoric notwithstanding, the young Ralph did not think himself oppressed:

> We didn't sit around and brood about whether or not to go play with whites our age. We'd never met any and had no desire to. We were also perfectly content to drink out of our own water fountains and to enter and exit by doors marked "COLORED." We were so secure in the honor accorded our family that we didn't consider such practices demeaning or even important. If white people wanted their own fountains and doors, that was just fine with us.

Abernathy would come to realize when he moved beyond Hopewell as a soldier in World War II and then as a college student that many things were not just fine. "It was our destiny, our burden—not only as human beings but as black Americans—to live beyond the dignity of our father's house, in a cold and hostile land somwhere east of Eden." But he refuses to apologize for Eden, and will tolerate no impugning of what he learned there about dignity in adversity. By the late 60's, when black nationalists were calling on African-Americans to divest themselves of their "slave names," Abernathy would have none of it. "I feel no shame in going by a last name to which my father and mother brought such character and dignity. It was *their* name. They didn't just borrow it from a long-dead man. They paid for it with their exemplary lives and therefore owned it outright when they passed it along to me."

It was, then, a good and decent man, possessed of a powerful sense of his own worth and adamant that others recognize that worth, the pastor of an important black church with a promising, if conventional, future, who in 1955 linked up with another black pastor in a protest over local bus regulations in Montgomery, Alabama, that propelled both of them onto the stage of world-historical drama. The more than 600 pages of *And the Walls Came Tumbling Down* is Abernathy's effort to counter what he believes are the misunderstandings of what happened after Montgomery. He means misunderstandings about Martin Luther King, to be sure, but most of all misunderstandings about Ralph Abernathy and his part in the movement they led and that led them.

The chief misunderstanding, as

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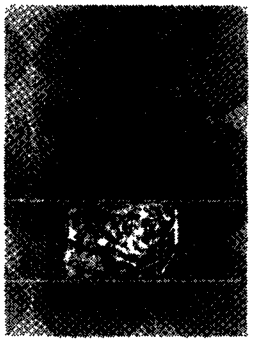

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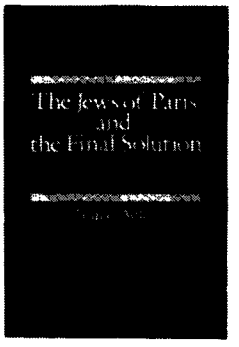

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Abernathy sees it, is that people thought his readiness to subordinate himself to King meant that he could be treated as a subordinate. Much of the book is self-serving to a fault, repeatedly telling us how much King depended on him, how he gave King some of his best ideas, and so forth. Not here, but in Garrow's study we read of outrageous instances in which Abernathy pushed himself forward, deferring always to King but demanding from others a treatment equal to that accorded King. Many of us who were on the outer rings of King's leadership circle in those days can attest to our embarrassment at Abernathy's excessive and undignified insistence upon his dignity. But there was also justice in his plaint. When he succeeded King as head of the Southern Christian Leadership Conference he was keenly aware of the resentment felt by Andrew Young and Jesse Jackson, "both of whom," he writes, "were ambitious."

In truth, there was more than resentment; on the part of some, there was a frequently expressed contempt. One factor at play here, which the present book makes evident, is that by the time King died the movement he led had long since peaked. This movement extended from the Montgomery boycott in 1956 through the passage of the Voting Rights Act in 1965. Young, Jackson, Hosea Williams, James Bevel, and others were young men who for a few years had been caught up in a whirlwind of drama and publicity that understandably produced an addiction to excitement. It was satisfied in part by the sheer presence of King, but that changed after the fateful evening in Memphis, April 4, 1968. Former colleagues quickly turned into large and competing egos, desperately trying to contrive a continuation of the glory years. Abernathy seems to intuit the psychological dynamics at work, and he tries to be understanding. He is magnanimous even in describing Jesse Jackson's brazen lies to the media about his place in the death scene on the balcony of the Lorraine Motel.

A WORD should be said here about the passage that is the focus of controversy over this book. The plain reading of the text indicates that, on the night before he was killed, King had sexual relations with one, maybe two, women and physically struck another woman who was angry at being neglected. Much has been written about King's womanizing, and the additional charge of physical abuse will not enhance his reputation. For telling this story, Abernathy has been accused of treason against both King and the movement he led.

Only Ralph Abernathy knows why he included this episode. Perhaps it is because, as he says, "everything that happens is valuable and should be preserved," leaving the final judgment to God. Perhaps, too, it is because he has an intense proprietary interest in King, especially during those last hours now enshrined in legend. Telling the story as he does emphasizes that these were *his* moments, moments fully understood by him alone, and certainly not by Benjamin Hooks who has claimed that he spent the final evening having dinner with King. Abernathy, in other words, is reclaiming the pieces of the prophet's mantle which he believes others have tried to steal.

It is a measure of the relationship between the two men that Abernathy says he tried to warn King about his womanizing only once, and then very gingerly. The point of the warning was that the FBI would use its knowledge of King's activities to destroy him. King responded that his private life was nobody's business but his own, and Abernathy says he never raised the matter again. As David Garrow makes clear, and as Abernathy acknowledges in passing, members of King's entourage were not noted for their sexual discipline. They were away more often than they were at home, and, Abernathy writes, "all of us in SCLC headquarters had our weak moments." Of King he writes, "It was just that he had a particularly difficult time with that temptation. His own principal explanation of that difficulty is one I choose not to repeat here." The last sentence, unfortunately, invites inferences some of which may be untrue and all of which are bound to be uncomplimentary to King and those closest to him.

The standard response is that it does not detract from King's person and leadership that he was not a "saint." But it does—unless "saint" means morally perfect, which is expected of nobody. Perfection and wantonness are not the only alternatives, however. What can be expected is a measure of moral coherence between the public and private person, what the ancients called character. Those who first publicized King's philandering—J. Edgar Hoover and, later, King's black-power enemies—fully intended to detract from his reputation and his cause. They were keenly aware of his particular vulnerability as a preacher. The condescending ignorance of many whites notwithstanding, most black Christians do not take clerical dalliances lightly. Moreover, in recent years public figures have been forced to attend more closely to the connections between private and public virtue—something that was admittedly less the case in the 60's and definitely not the case with respect to public figures who, like King, were favored by the Left.

The fact remains that the accusations against Abernathy and his book are in some cases unwarranted, and in almost all cases exaggerated. He tells us nothing about King's sexual activities that has not been common knowledge for some years, except that King did on the night before he died what he very often did. If Abernathy is to be criticized for tastelessness beyond excuse, let it be for his detailed, indeed macabre, accounts of the appearance of King's corpse after the autopsy and, some months later, when it was exhumed for reburial in its present place of memorial.

IN THE end, though, what has angered critics of this book is not its occasional lapses into bad taste. What has angered them is that *And the Walls Came Tumbling Down* powerfully exposes the hollowness of the claim of the present civil-rights establishment to be the continuation of the movement led by Martin Luther King, Jr.

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That movement came to an end, as I have noted, around 1965. Abernathy does not disguise the desperation with which King attempted various stratagems to extend its life, although, especially in the last year, he often appeared weary of the entire business. The city of Chicago was the designated stage for "taking the movement North." Abernathy details the disaster of that project, in which innocent Southerners, ignorant of racial dynamics in the North, were bullied, misled, and finally outfoxed by the likes of Mayor Richard Daley.

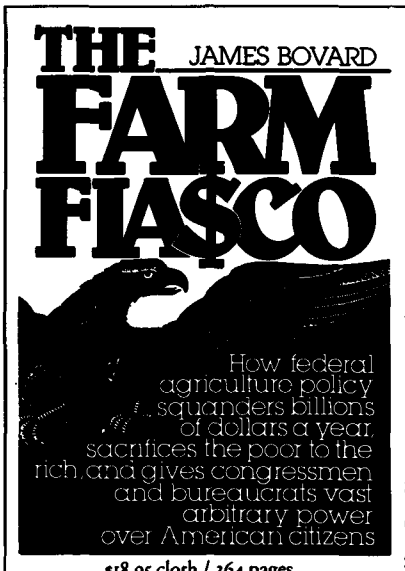
Another effort was aimed at tying the movement to union organizing, under the slogan that the newly won "civil rights in law" must now lead to "economic rights in life." Abernathy describes the tactics of Operation Breadbasket, again in Chicago, where Jesse Jackson attempted to extort jobs for blacks even if it meant laying off white workers. Abernathy does not call it extortion, but he was apparently uneasy about the moral ramifications of what would soon become the ideology of affirmative action, reparations, and quotas. Still, he consoled himself with the familiar maxim that "We were breaking eggs to make omelettes."

By 1968, at any rate, when King was killed, Moses may still have been a hot media item, but Joshua was not. "Nonviolence was middle-class and establishmentarian by 1968," Abernathy writes, "and I was a middle-aged preacher full of ten-year-old platitudes. It was more interesting to do profiles on Stokely Carmichael and Rap Brown." Leonard Bernstein was not going to invite *him* in to meet his friends. Nonetheless, Abernathy doggedly pushed ahead. Before his death, King had vaguely envisioned a Poor People's Campaign in Washington, and Abernathy, despite misgivings among the SCLC staff, was determined to follow through. His description of the Poor People's Campaign and of the "Resurrection City" pitched on the Mall between the Capitol and the Lincoln Memorial provides the most hilariously poignant part of his narrative.

The idea was to have thousands of poor people converge on Washington by mule train from various parts of the country. Mule trains, SCLC thought, perfectly symbolized the poverty the campaign was determined to redress. But they could not find the mules, then they could not find carts for the mules to pull, then they could not find anyone who knew how to shoe a mule, and, finally, they discovered that blacks had forgotten how to drive mules. In addition, few poor people were willing to take off from their jobs for a month or more to protest their poverty. Once several hundred people had been gotten together—blacks, whites, Chicanos, Puerto Ricans, and others—and had set up their huts on the Mall, the real troubles began.

Abernathy had anticipated "a model for the rest of the nation to emulate. Everyone would live together in peace and mutual respect. . . . We would have people of all races, ethnic backgrounds, and religious beliefs. Since everyone would be poor, there would be no greed or envy." The reality was otherwise. In one of the wettest summers in Washington history, it rained and rained and never stopped raining. Resurrection City soon turned into a huge wallow of knee-deep mud. The residents were terrorized by young black "punks" (Abernathy's term) who came along to rob, intimidate, and generally treat Resurrection City as their turf. Different groups had their own agendas and could not care less about what SCLC had in mind. "For example," Abernathy writes, "the Puerto Ricans were intent on gaining independence from the United States, though, from what I heard, the majority of the people on the island didn't hold to that view." Worst of all, the "city" itself was segregated. "It rapidly became a camp full of ghettos, with no one having a great deal to do with anyone else. All the Indians wanted to live together, all the blacks, all the Mexican-Americans, Puerto Ricans, whites. . . . I was bitterly disappointed."

After a few weeks, the movement to "rouse the conscience of the nation" in order to "bring about revolutionary change" had turned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into a ragtag, dispirited, rain-soaked, mud-caked band of two or three dozen hangers-on telling themselves that maybe tomorrow somebody from the New York *Times* might show up and do a story on them. Finally ejected from the Mall by the Park Service, people were given bus tickets home by Travelers Aid.

WHAT had gone wrong with the movement, that it had come to this? To that question, Abernathy gives one good answer and a host of bad ones.

The good answer: "The first reason we declined in influence was our remarkable success—we had eliminated virtually all of the statutory barriers to our own advancement and equality." Precisely. After civil rights and voting rights were legally secured, King and his colleagues had to make a decision. They could declare victory and go out of business. They could turn themselves into a mobile commission, traveling the country to make sure the new laws were enforced. Or they could "change the focus of the movement," embracing more "radical" measures to overturn the "systemic evils" of American society and of America's impact on the world, as in Vietnam.

Only the last option would attract national attention and, as Abernathy candidly admits, might sustain the flow of money essential to keeping the movement alive. (More than a million dollars had been spent on the Resurrection City fiasco.) "The focus of the later years," he writes, "was no longer on race alone but on the disparity between rich and poor." Unfortunately, the donors who had been all for racial equality held back when it came to "redistributing the wealth through taxation and federal legislation." And here enter all of Abernathy's bad reasons for the demise of the movement: America is a sick society, afflicted by competitiveness, consumerism, and greed, the whole compounded by white racism. They are the same reasons tirelessly reiterated by a civil-rights establishment that has been kept on an artificial life-support system for over twenty years.

To his credit, Ralph Abernathy has had some long second thoughts since 1968, and especially since 1976 when he was pushed out of the leadership of SCLC. Although he is still capable of reaching for a cliché about white racism, in his more considered moments he knows that the problems of blacks, and especially of the black underclass, have to do with personal and communal responsibility, both moral and economic. In 1980 he earned the lasting ire of his former colleagues by supporting Ronald Reagan, in the hope that the Republicans, unlike the Democrats, would have new ideas for helping poor blacks to enter the mainstream of American opportunity. In that too he was bitterly disappointed.

IN THE epilogue to *And the Walls Came Tumbling Down,* Abernathy seems to come very close to doubting whether the whole adventure has been worthwhile. Encountering young black people in the inner cities today, "I remember the faces of my brothers and sisters and cousins a half-century ago, working in the fields of rural Alabama, glistening in the hot summer sun. The faces I recall are not as bitter and hopeless as the ones I see today. . . ." But he finally concludes that the movement *was* worthwhile, both for what it achieved through 1965 and for its association with the person of Martin Luther King, Jr. Had it not been for the people who followed King in challenging segregation, "We would still be looking from afar at the high walls of an impregnable city."

What Ralph David Abernathy had hoped for all along is that, when those walls came tumbling down, every black in America would be able to live the life of dignity he himself had known in Hopewell, Alabama, except that they would now have the vote and be able to take any seat on the bus. That, of course, is exactly what has happened for millions of black Americans in the last quarter-century. Yet for millions of others in places like Bedford-Stuyvesant and South Chicago, life is bleak, and it is made bleaker still by racialist leaders who exploit their plight by telling them that the fault lies in a systematically racist society.

About this, too, Abernathy is bitterly disappointed. He stubbornly and rightly insists that the walls have come tumbling down, and it is time for blacks to help one another move on into the city of American opportunity. Little wonder that his book is not liked by people who make their living by leading angry marches 'round and 'round the tumbled walls.

The Dreamer & His Dream

THE LABYRINTH OF EXILE: A LIFE OF THEODOR HERZL. By ERNST PAWEL. *Farrar Straus & Giroux. 554 pp. $30.00.*

Reviewed by STEVEN BELLER

A FEW months before his death in July 1904, Theodor Herzl set off for Rome in his unending quest for diplomatic support for the Zionist cause. He had an audience with a predictably hostile Pope Pius X, and a far more amicable meeting with the King of Italy, Victor Emmanuel. During the course of this conversation the king remarked that one of his own ancestors had conspired with the 17th-century messianic pretender Sabbatai Zevi to become "King of Macedonia, or Cyprus, or some sort of king, anyway." As an afterthought he added: "He was a bit crazy, but he thought big."

Ernst Pawel does not tell us whether Herzl recognized this as an ironic allusion to his own campaign, but if he did he probably would have taken it as a compliment. Certainly he was conscious that others saw him and his mission as insane, but he also had a deep faith that posterity would prove him right. So it has. Today it is the belittlers of Herzl's "crazy" scheme who appear to have been living in a fantasy world, and it is the dreamer who, by the staggering events of the 20th century, has been shown to have had, if not his feet on the ground, at least his finger on the pulse of the modern age.

STEVEN BELLER *is the author of* Vienna and the Jews 1867-1938: A Cultural History, *recently published by Cambridge University Press.*

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Whatever one thinks of Herzl, the Zionist movement which he goaded into action, or the state of Israel which was the fulfillment of his dream, the story of his life is compelling. Ernst Pawel's biography, the first large-scale account in many years, does not offer all that much that is new, or that was not to be found in Amos Elon's much-admired biography of 1975, yet Pawel has qualities of his own: a no-nonsense attitude to his subject, and a careful setting-out of Herzl's life, thought, and deeds in the context of the day.

Pawel's portrait is clearly an attempt to continue the dismantling of a legend. He goes further than Elon, for instance, in cataloguing just how much of a failure as a husband and father the "father of the state of Israel" was. Pawel's Herzl is a man who thought only in abstraction and who could never really sustain close personal relations, including with his own son and daughters; this may at least partially explain the disasters that befell them after his death. (The son, Hans, committed suicide; Pauline died a destitute drug addict in France, and Trude went mad, was sent to a lunatic asylum, and ended up in the concentration camp of Terezin.)

Indeed, as Pawel tells it, Herzl, especially in his younger days, was a rather unattractive character. Outwardly very handsome, with an air of great distinction, inwardly he was overly dependent on his parents, stunted emotionally, extremely arrogant and supercilious, completely self-obsessed. Ever attempting to fit the role of the "artist," driven by a naked lust for success, and an awful snob to boot, Herzl embodied what Pawel sees as the ugliness of Vienna's newly rich Jewish bourgeoisie. Even his undoubted abilities as a writer (his fields were journalism and the stage) were severely qualified by a shallow understanding of character and a conventional, superficial approach to the problems of the age. These may have helped make him the most popular *feuilleton* writer of his day; they also, as Pawel never tires of stressing, made him a decidedly second-rate playwright.

To add to this catalogue of defects, Herzl showed distinct signs of what has come to be known as Jewish self-hatred. Pawel, a Berliner by origin, believes that in this respect Herzl was again fairly typical of Viennese Jewry, but in fact the young Herzl's contempt for, even fear of, his fellow Jews was much more pathological than that of many of his contemporaries. Schnitzler and Freud, for instance, were almost healthy by comparison with Herzl, who at one point contemplated "solving" the Jewish question by a mass conversion to Christianity.

It is a sobering thought that the very force of Herzl's embrace of Zionism, when it occurred, depended to a large extent on the pathology of his previous abhorrence of his Jewishness. If Herzl had been better adjusted he might never have taken up the Zionist cause. Yet the idea of Zionism, once arrived at, gave him two things

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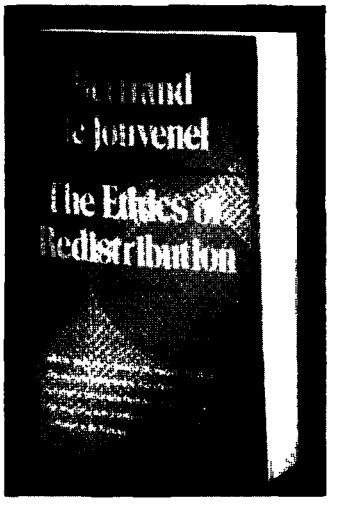

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which perhaps unknowingly he had longed for all his life: self-respect, and a goal toward which he could direct his immense energies.

PAWEL delineates well the path by which Herzl arrived at his great "solution," and he sets the process firmly in the objective reality of the triumphs of European anti-Semitism in the 1890's. Yet he also leaves no doubt of the role played by subjective factors, including Herzl's weakness for "the voluptuous pleasure of a great idea." His description of Herzl's first years as a Zionist leader is hardly appealing. Gone is the self-contempt, but not the arrogance. Indeed, in his new self-appointed role as national leader Herzl could more freely indulge some of the less pleasant sides of his character. Thus, his frustrated German nationalism (his idol was Bismarck) was directly translated into an authoritarian, elitist, charismatic style. Not that this style was unique to Herzl: the mixture of fantasy, the egocentric belief that reality could be conquered by sheer will, and the longing for the "true" nobility of kings, emperors, and Junkers was characteristic of many another nationalistic leader of the time. All would have heartily agreed with Herzl's assertion that "the nation is beautiful."

Despite all this, it is the sheer drive of the man that remains impressive. Was he a typical *Luftmensch* in thinking he could create something from nothing? But that, in effect, is what he succeeded in doing. His fantastical campaign to gain diplomatic support for and Turkish consent to the "Jewish state" was, in practical terms, almost a complete failure; but it was hugely successful in getting Zionism recognized as a legitimate player on the international scene. In the same way, the Zionist congresses achieved little of substance during Herzl's lifetime: financially the movement limped along on virtually nothing. Yet the idea of a congress, and the fact that it was convened and met annually thereafter, was a huge step forward in shaping a Zionist consciousness among Jews which prevails to this day.

This whole achievement was immeasurably indebted to Herzl's "crazy" belief that one *could* succeed by the will alone. As the movement took off, moreover, not only did his outward stature grow, the inner man grew as well. He still carped about his employers at the *Neue Freie Presse* (who must have been remarkably tolerant, all things considered) and expressed complete contempt for his opponents in the Zionist movement, notably Ahad Ha'am. Yet these faults pale into insignificance when one realizes the gigantic act of self-sacrifice of Herzl, who literally worked himself to death at the age of forty-four in quest of his dream. His years as leader moderated his elitism, and transformed his arrogance into an immense sense of responsibility for the people who adored him and who became his main concern: the impoverished and persecuted Jewish masses of Eastern Europe.

Pawel may be right that, subjectively, Herzl's finest moment was greeting the Kaiser in Palestine. Objectively, however, his finest moments were his brave pleading to Nathan Rothschild on behalf of the oppressed masses of Rumanian Jewry, and his visit to Vilna where he first realized the full extent of what he meant to Russian Jews. If by his death Herzl had achieved little of what he had set out to do, and left a movement severely rent by internal dispute, he also died an internationally known figure and more, a man who had grown from immature superficiality to tragic greatness.

SEVERAL of Pawel's opinions are questionable, especially concerning Vienna's Jewish bourgeoisie, but it would be surprising if it were otherwise—as surprising as if Pawel had succeeded in avoiding *ad-hominem* judgments of Herzl's ideas and the movement he founded. (Thus, he emphasizes Herzl's blind spot concerning the Arab presence in Palestine and, on the other side, lauds his plan for making the old city of Jerusalem an extraterritorial center and his cautionary remarks about the need to keep both religion and the military away from power in the new Jewish state.) For the most part, though, this is a very fair account, and, ironically, the Herzl who emerges from Pawel's study is, if anything, an even greater figure than the pristine, saintlike figure of mythology. Something of what he meant to his followers, and to the world, was captured by the writer Stefan Zweig observing the hordes of Jews who upon Herzl's death came from the ends of Europe to pay their respects:

> Vienna was suddenly made aware of the fact that this was not a mere author or mediocre poet who had died but one of those creators of ideas such as emerge only at the rarest of moments in the history of countries and peoples. . . . And this immense pain rising out of the depths of an entire people made me realize for the first time how much passion and hope this singular and lonely man had given to the world by the power of his idea.

Pawel's book shows just how fitting a tribute this was, and remains.

Socialism in Retreat

FROM KABUL TO MANAGUA: SOVIET-AMERICAN RELATIONS IN THE 1980's. By FRED HALLIDAY. *Pantheon. 198 pp. $22.95.*

Reviewed by ARCH PUDDINGTON

ADDRESSING the 26th Congress of the Soviet Communist party in 1981, Leonid Brezhnev spoke triumphantly of the USSR's gains in the Third World, taking special pride in listing the growing number of developing nations which had adopted some form of Soviet-style socialism. At the time, few dismissed Brezhnev's remarks as unwarranted Communist bluster. Between 1974 and 1980, no fewer than fourteen Third World countries had experienced revolutionary transformation, and almost all—the major exceptions being Iran and Zimbabwe—had adopted re-

ARCH PUDDINGTON *works for Radio Free Europe-Radio Liberty in New York and is the author of* Failed Utopias: Methods of Coercion in Communist Regimes *(ICS Press).*

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pressive variants of socialism and pro-Soviet foreign policies. Indeed, an American presidential election had just been fought in which Soviet advances in the Third World loomed quite large, with Jimmy Carter suffering defeat in part because of the perception that his administration had failed effectively to counter Soviet initiatives in Africa, Central America, and the Middle East.

Eight years later, it seems clear that Ronald Reagan's promise to reverse America's global fortunes has largely been fulfilled. During Reagan's presidency, not a single additional Third World country fell into the Soviet orbit. In a few cases, pro-Soviet regimes were ousted, and there were other cases where revolutionary goals were abandoned. Elsewhere, embattled regimes were forced to modify internal policies due to popular discontent, outside pressure, or a combination of the two.

However controversial Reagan's roll-back policy may remain in some quarters, Fred Halliday, for one, is prepared to credit him with a crucial role in altering the political landscape of the Third World. Yet Halliday is no Reagan apologist. A professor at the London School of Economics, he is the "engaged scholar" *par excellence*, capable of writing shrewd analyses of the U.S.-Soviet rivalry in the underdeveloped world while at the same time celebrating the most tyrannical leftist regimes. Halliday's ideological bias (he is, in fact, an active Trotskyist) is summed up by his complaint that Moscow has been overly timid in handing out aid to revolutionary regimes and movements.

In *From Kabul to Managua*, Halliday pessimistically identifies three broad trends as threatening the viability of existing socialist regimes and thwarting the triumph of future revolutions: Soviet retreat from entanglement in regional conflicts; the "mistakes" of the most recent group of revolutionary regimes; and an activist and confrontational American policy designed to contain and, where possible, reverse Soviet influence.

Unlike many American foreign-policy experts who incorrectly minimize the Soviet role in stimulating revolution, Halliday places the various Third World crises directly within the context of the broader geopolitical struggle. He is in surprising agreement with American hardliners on the reasons for the upsurge of revolutionary ferment in the 70's, identifying the key events as the collapse of the dictatorship in Portugal, which accelerated the pace of change in southern Africa, and, more to the point, the failure of American will in the aftermath of Vietnam. Congress's refusal to assist the UNITA movement in Angola, the Carter administration's impotence in the face of an impending Sandinista victory in Nicaragua, and the chattering about human rights during the waning hours of the Shah's rule in Iran all convinced pro-Communist forces in countries like Grenada and El Salvador that revolutionary war could be prosecuted without fear of "Yankee imperialism."

American withdrawal was not, however, sufficient to ensure the success of nascent revolutionary movements. As Halliday notes, "external military and economic support was essential." For a while at least, the Soviets were happy to encourage and subsidize revolutions engineered by politically reliable forces, that is, movements that were likely to institute Marxist-Leninist systems once in power. But the Soviet role was limited by inherent weakness. Moscow could provide arms to help its allies gain power, various forms of aid to enable unpopular regimes to maintain dominance, and a political model uniquely structured for the control of restive populations. Unfortunately, from Halliday's perspective, the Soviets could not offer economic assistance, sound advice on development, or a global economic system into which the new regimes could be integrated.

The result for Third World revolutionary regimes was an unsatisfying set of alternatives: either withdraw from the international economy, a move guaranteed to induce poverty, or initiate relations with the capitalist world, with all the compromises this implied.

There were also problems inherent in the nature of the regimes themselves. According to Halliday, the crux of the matter lay in the absence of a developmental blueprint. The societies of Eastern Europe were already struggling to cope with slow growth and popular discontent. Once-promising Third World models were in even worse disarray: Tanzania's scheme of "African socialism" was a shambles while China was moving steadily down the capitalist road. Furthermore, the once-popular view that Third World revolutions were driven by indigenous, and therefore culturally superior, values became increasingly untenable in the wake of Pol Pot and Khomeini.

The final, and by Halliday's reckoning most significant, element in the decline of Third World revolution was the Reagan administration's policy of pressuring or overthrowing pro-Soviet regimes in Africa, Asia, and Latin America. Halliday traces Reagan's success to his administration's strategic flexibility. Thus, on a few occasions—Grenada, Libya—direct military action was taken, important for the cautionary message to other regimes which challenged American interests. Where U.S. involvement proved impossible, the administration implicitly encouraged other countries (like Israel, South Africa, or China) to exert pressure on Soviet allies. The U.S. was also highly successful in preempting revolutionary triumphs by either assisting beleaguered governments, as in El Salvador, or promoting the departure of unpopular leaders, as in the Philippines and South Korea.

The U.S. was not always able to dislodge entrenched Communist leaderships: witness Nicaragua and Angola. Yet even in cases where the desired goal proved beyond the capability of U.S. "imperialism," Halliday credits American policies with forcing, if not the abandonment of socialism, then certainly major internal shifts toward market economies and, to a lesser degree, political freedom.

Perhaps more significantly, the U.S. decision to exploit each and

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every weak point in the Soviet Third World empire eventually contributed to Moscow's gradual disengagement from regional crises. While the Soviets retained a military capacity to prevent the actual reversal of socialism in their allied regimes, the cost, both financial and diplomatic, was high. The billions of rubles funneled to regimes as diverse as South Yemen, Cuba, and Ethiopa constituted a seemingly endless drain. Interestingly, even Gorbachev seemed willing to pay the price, at least at first: the early months of his rule were marked by a massive flow of arms and proxy troops to Soviet allies bogged down in civil wars. Yet as quick triumphs failed to materialize, Gorbachev saw the necessity of removing impediments to improved diplomatic relations with Europe, China, and the United States. Thus the decision to withdraw from Afghanistan, accept less-than-satisfactory agreements to resolve other conflicts, and tacitly forswear new adventures in the Third World.

HALLIDAY's analysis, though often provocative, is also at various points extremely weak, in ways both minor and fundamental. In the former category is his sneering attitude toward charges of Communist involvement in the international narcotics trade. That Halliday's study was completed before official Cuban revelations of drug trafficking by figures in the military and security services is no excuse, since he certainly had access to an impressive body of evidence linking Cubans, Bulgarians, and Sandinistas to the drug business.

A more basic problem flows from Halliday's refusal to acknowledge the criminal character of Third World Communism. Here Halliday faced a dilemma, for in past writings he has championed practically every anti-American revolution, including Iran's. He is obviously displeased that, for example, South Korea instituted reforms which, while significantly altering the political system, left the economic system intact. Despite his veneer of critical dispassion, Halliday remains at heart the most irresponsible kind of leftist, preferring the poverty and regimentation of Vietnam to the relative prosperity and freedom of South Korea.

The same radical prejudice causes Halliday to misinterpret the importance of the Soviet Union's caution toward Third World entanglement. A tone of bitterness creeps into his discussion of Soviet attitudes; Halliday writes of "lassitude" and a regrettable erosion of enthusiasm for stimulating socialism around the globe. As evidence, he cites a 1988 poll which showed fully 77 percent of Soviet diplomats and international-affairs specialists evincing the belief that spreading socialism was an anachronistic goal.

On this score, the Soviets are on far firmer ground than Western radicals like Halliday. The Soviets actually participated in the process of "building socialism" in societies like Ethiopia, Afghanistan, and Vietnam, and recent Soviet writings on the subject suggest that they found the enterprise a dismal one. Halliday concludes with the assertion that, even today, the core of the U.S.-Soviet rivalry entails "two competing general ideas about how individual societies and the world as a whole should be organized." On this point most surely he is dead wrong. At the level of ideas at least, capitalist democracy has clearly won out over statist socialism. Those remaining few Western leftists who doubt this are in serious need of a strong dose of new thinking.

The Era of Theory

REAL PRESENCES. By GEORGE STEINER. *University of Chicago Press. 256 pp. $19.95.*

Reviewed by D. G. MYERS

WE LIVE in an era of theory, George Steiner declares in his new book. Our current philosophies ridicule the search for fundamental truths, call into question language's capacity to communicate meaning, deny the existence of God. And the worst of these is deconstruction. A French theory first imported into the U.S. seventeen years ago, deconstruction has it that any attempt to discover and speak the truth is predestined to undermine (or "deconstruct") itself. In the literature departments of American universities especially, the influence of deconstruction has been unsettling. At one time literature may have been considered, in James Joyce's phrase, "the eternal affirmation of the spirit of man." But no more. Now it is taught as the compulsive traitor of its own affirmations, the spiritless undoer of man.

But if this were all there was to it, why would anyone waste his time with literature? Such is the question Steiner poses in his new book. Almost any serious-minded attempt to answer the question, to take seriously the challenge of deconstruction, would have its appeal. The fact that *Real Presences* is by George Steiner, though, makes this book doubly interesting. Steiner, a long-time fellow of Churchill College, Cambridge, and a professor of literature at the University of Geneva, is one of the best-known and widest-ranging critics writing today, the author of books on Russian novelists, ancient and modern tragedy, the study of language, and the art of translation. He was an early commentator on Holocaust literature and remains a shamelessly highbrow critic of popular culture. *Real Presences*—his tenth book of criticism—has the intrinsic attractiveness of an important writer's treatment of an important theme.

It is a theme Steiner has been contemplating for several years. In the introduction to *George Steiner: A Reader* (1984), he wrote that more and more he finds himself trying "to discover whether and in what rational framework it is possible to have a theory and practice of understanding (hermeneutics) and a theory and practice of value judgments (aesthetics) without a theological reinsurance or underwriting." In *Real Presences,* he concludes that it is not possible to have one without the other. The new book is an attempt to counter

D.G. MYERS, *a new contributor, is an assistant professor of English at Texas A & M University and has written for the* New Criterion, Sewanee Review, *and other journals.*

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deconstruction with a kind of religious faith. Its title refers to Steiner's belief that God's presence is the basis and guarantee of meaning.

Since the 1870's, Steiner says, when the French surrealist poet Stéphane Mallarmé challenged language's reference to external reality, we have lived in a crisis of meaning of which "the 'death of God' is a seminal but only partial articulation." Rimbaud, Baudelaire, Nietzsche, and Freud all played their part in the deepening crisis. But it was left to deconstruction to finish the job.

According to Steiner, the new French theory is a menace in essentially three ways. It is a challenge to the consensus which has developed over time as to the greatest examples of human achievement. It is a threat to the notion of a cultural elite, upon which art and education depend. And it stands back of the current assault in American universities on the core curriculum, the "minimal requirements for literacy," the "syllabus of the indispensable."

But Steiner forswears any interest in expounding deconstructionist theory or engaging in anti-deconstructionist polemics. *Real Presences* is neither a primer nor a critical inquiry. Its intention is to clarify "the theological and metaphysical repudiations which lie at the heart of the deconstructive enterprise." Steiner tries to show how the repudiation of meaning leads inevitably to the rejection of another person's claims to freedom, or even to disbelief in the existence of other persons altogether. Literature, music, and art "relate us most directly to that in being which is not ours," Steiner observes. We can find meaning in a work of art if and only if we postulate a conscious agent who has put meanings there for us to find.

On a larger scale, the repudiation of God's presence in the world rules out all possibility of artistic creation. Man makes art, according to Steiner, in order to compete with God. Artistic creation is counter-creation. "The human maker rages at his coming *after*," he writes, "at being, forever, second to the original and originating mystery of the forming of form." In his fury, the artist begets a rival world. Deny the existence of God, however, and you cannot explain the source of the artist's fury. (Indeed, deconstruction is silent about the motives behind art.) Just as there can be no criticism without a work of art to criticize, so there can be no art without a Creation to contend with.

STEINER's argument is beguiling. Unfortunately, it is not likely to convince many readers, if only because in the end Steiner is less the antagonist of deconstruction than he is an unwitting spokesman for it. For one thing, he is not in the least interested in developing a coherent case against the theory. Although he insists that deconstruction ought not to be credited—it is "manifestly false to human experience," he says, "to that of the artist as well as to that of the receiver"—he nevertheless unaccountably concludes that on its own terms "the challenge of deconstruction does seem to me irrefutable." On what basis, then, is he to be believed? His position amounts to saying deconstruction is simultaneously true and false—a self-contradiction that can only fail to trouble someone who is uninterested in serious argument.

Sadly, Steiner is such a critic. "Does the cry in the tragic play muffle, even blot out, the cry in the street?" he asks. Returning to the point fifty pages later, he observes that "We have seen how the sensory weight of the dream or the terrors of the fictive can blank out the cry in the street." But asking *whether* is not seeing *how*. And Steiner seems unconcerned that he has not shown us how. His book is full of speculation but devoid of sustained argument. Instead of developing a coherent case, he is fond of the enigmatic hint, the elusive implication. Deconstructionists write badly, and that, he says, is "symptomatic." But of what? That he does not say. "Each of these areas of definition and connotation is pertinent," he mysteriously remarks. Pertinent to what? It is not clear. "Plato's *Symposium*, St. Augustine on discourse and dreams, Dante's *Vita Nuova*, Shakespeare's *Sonnets* and Joyce on the epiphanies of desire are of the essence." Of what, you would be hard-pressed to say. To attribute a propositional assertion to Steiner would be as indecorous as ascribing a fault to Jane Austen.

Steiner declines to press the case against deconstruction, oddly enough, because he himself appears to subscribe to a central doctrine of all postmodern theories of meaning, including deconstruction. "Talk," he says, "can neither be verified nor falsified in any rigorous sense." In other words, there are no fundamental truths to which one can appeal. Nor is there logic. There is only rhetoric, the effort to win adherence through sheer persuasion.

What becomes then of the appeal to religious faith? It turns out to be little more than a rhetorical ploy, by means of which the writer tries to conceal the fact that he cannot prove his case. God, for Steiner, is simply another way of talking, and a theology of "real presences" is no more true or false than deconstruction itself—merely another attempt to reconcile oneself to the era of theory.

Hitler's War

HOW WAR CAME: THE IMMEDIATE ORIGINS OF THE SECOND WORLD WAR. By DONALD CAMERON WATT. *Pantheon. 736 pp. $29.95.*

Reviewed by DAVID GRESS

DONALD CAMERON WATT's volume is the result, as the author tells us, of a lifetime's concerned reflection on and study of the causes of World War II, a process that began when, at age eleven, he helped his father fill sandbags in the English Midlands. At the end of the war, he joined the British occupation forces in postwar Austria. After whetting his curiosity as a junior officer assisting local denazification efforts, he studied at Oxford with, among others, Christopher Seton-Watson and John Wheeler-Bennett, both of whom played important intelligence and

DAVID GRESS, *a fellow of the Hoover Institution, Stanford, is co-author (with Dennis L. Bark) of a two-volume* History of West Germany (*Blackwell*).

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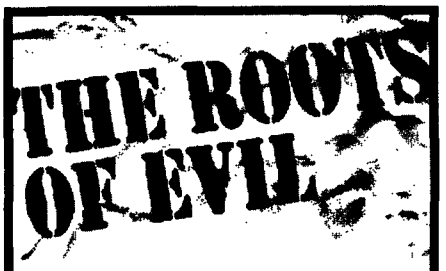
policy-making roles in British wartime strategy. Cameron Watt devoted much of his subsequent academic career at the London School of Economics to publishing and editing the captured archives of the German Foreign Ministry for the years 1918-45, and to close study of the comparable documents of other European nations and the United States.

How War Came displays Cameron Watt's meticulous learning to its full advantage. It is the most comprehensive and, all ambiguities aside, the best single study of the road to war from the Munich conference to September 1939 that we are ever likely to have. It is also, in some ways, a surprising book. Cameron Watt, after all, is the chief living heir to what Elie Kedourie has called the "Chatham House version" of world politics and of the goals and methods of British foreign policy. Kedourie invented the phrase to describe what he considered to be the fatuous pro-Arabism of British Middle East policy, based as it was on the belief that the Arabs shared the Gladstonian liberal world view of the British elite. In broader terms, a Chatham House view of world politics is one that rejects ideology as a driving force—that, for example, would regard Joseph Stalin as essentially a Russian nationalist with whom one could do business if one respected his legitimate security interests, or that would see World War II as the result of accident rather than of design, and Hitler as victim rather than as perpetrator.

Nothing, however, could be farther from the view presented in *How War Came*. Cameron Watt's central thesis, repeated with salutary frequency, is that World War II was Hitler's war, a war that he wanted and therefore provoked as rapidly and as effectively as he knew how. The last thing Hitler took into account was German national interest, since he ignored all evidence that, by provoking war, Germany would conjure up an alliance of enemies it could not possibly defeat, and that the result of war would therefore be the destruction of the European political order centered on a strong Germany.

Cameron Watt's masterful book displays several outstanding traits that deserve mention in this era of deliberately induced political ignorance and rejection of history in American higher education and political debate. He consciously, even provocatively, focuses his account on high politics, on what heads of state, foreign ministers, aides, and the occasional well-meaning businessman or financier did and said. No deep economic structures or arcane capitalist plots for him. Notably, he denies by the overwhelming force of his narrative the notion, formerly and perhaps still popular in leftist circles, that the Western governments provoked the war with Hitler in order to cause a demand for armaments that would guarantee profits for big business and save capitalism. *How War Came* is blessedly free of the passive constructions and obscure lines of causation favored by most contemporary historians: on every page, people act, say, do, speculate, and blunder.

Cameron Watt also pays careful attention to the minor players in the European tragedy: the Finns, the Dutch, the Yugoslavs, the Rumanians, even the Bulgarians and Greeks strut onto the stage, contributing their bit of interested argument or, very occasionally, of disinterested sacrifice. We discover a Europe vastly more complicated than the caricature of a foolish Chamberlain confronting a Machiavellian Hitler at Munich and blundering on to the fateful declaration of war a year later. For example, the Poles in 1939 did not see themselves as weak victims of a threatening German attack; rather, the Polish military government was wildly optimistic and believed that it could easily beat back the Germans. We are reminded, also, that Chamberlain was entirely right, on one level, in choosing appeasement in 1938, for he knew well that Britain could not afford a war, and that the result of war would be, as indeed it was, to put an end to the British empire and, probably, to impoverish permanently the British economy. But Cameron Watt is equally clear in showing why this concern, perfectly reasonable in a civilized political



The Origins of Genocide and Other Group Violence

Ervin Staub

Focusing particularly on genocide, Staub explores the psychology of group aggression. He sketches a conceptual framework for the many influences on one group's desire to harm another. Within this conceptual framework, Staub then considers the behavior of perpetrators and bystanders in four historical situations: the Holocaust (his primary example), the genocide of Armenians in Turkey, the "autogenocide" in Cambodia, and the "disappearances" in Argentina.

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environment, was wholly irrelevant in the face of Adolf Hitler.

In my view, Cameron Watt is entirely correct in emphasizing that the Italians in 1939 were by no means fervent supporters of Hitler. Even Mussolini did not want war; he wanted to aggrandize Italian power, but on the cheap. After all, he was a far more rational and, arguably, intelligent man than his German dictator-colleague. Unfortunately, he was also intolerably vain and could not stomach the idea that Germany was about to steal all the glory of a hegemonic place in Europe when it was he, Mussolini, who had launched the career of fascist government in 1922. So, in the end, he went along, rather than taking the strong stand against war that, so Cameron Watt argues, might possibly have deterred Hitler.

The chances of such deterrence, however, were always minute, because Hitler was not a rational politician amenable to considerations of balance of power, of geopolitical weight, or of strategic calculation. In the famous Hossbach Memorandum of 1937, in which Hitler set forth his strategic plans, he declared (correctly) that Germany would not be ready for a European war unti 1943. After Munich, he became convinced that the West was so decadent that he could seize Poland without a fight. When it became clear in the spring of 1939 that Britain would fight over Poland, he was not deterred, but determined more than ever upon immediate war. The pact with Stalin in August cemented, but did not trigger, the decision to attack the Poles.

NARRATIVE history is not fashionable in today's academy, probably because narrative implies individual responsibility. Cameron Watt says not only that World War II was Hitler's war, but that Western and Central European politicians failed miserably either to understand the Nazi peril or to take measures to crush it quickly and effectively. Britain lost its best chance to destroy Hitler by giving in at Munich; had the British remained firm and threatened or even declared war over Czechoslovakia, a military coup would have toppled Hitler, sparing Europe the Holocaust and division. Cameron Watt offers some caustic remarks on the fatuous fools who thought that more consultation, more conferences, and more contacts between Nazi leaders and Western governments could save peace. One lesson of *How War Came* for today is that realism, not faith in common goals, is the only guide to national survival; a lesson not entirely useless in the Gorbachev era.

Cameron Watt displays only a faint trace of Chatham House-ism when he states, in an afterword about the war itself, that the German inhabitants of the eastern parts of Germany and of Central Europe were expelled by the Poles, and in many cases killed, "in retribution" for the Holocaust. This is false. The postwar Polish regime had no remorse for the murdered Jews; it drove out the Germans because Stalin had given the Poles a third of Germany in return for the half of Poland he insisted on keeping from his pact with Hitler. The expulsion of the Germans was a geopolitical act of ground-clearing; it had no moral or political connection to the German murder of the Jews.

It is easy to find lessons in the events of 1939. It would be a pity, though, if lesson-finding were to detract from the sheer pleasure and exhilaration of Cameron Watt's magisterial and elegant work. It is, in the best sense, and despite minor quarrels one may have with details, a monument to humanistic scholarship.

We mourn the death of JOHN SLAWSON (1896-1989),
who as executive vice president of the American Jewish Committee
oversaw the founding of this magazine in 1945 and remained
a staunch champion of its editorial independence.
After his retirement in 1967 until his death, Dr. Slawson
served as a member of the COMMENTARY Publication Committee.
His friendship and counsel will be greatly missed.

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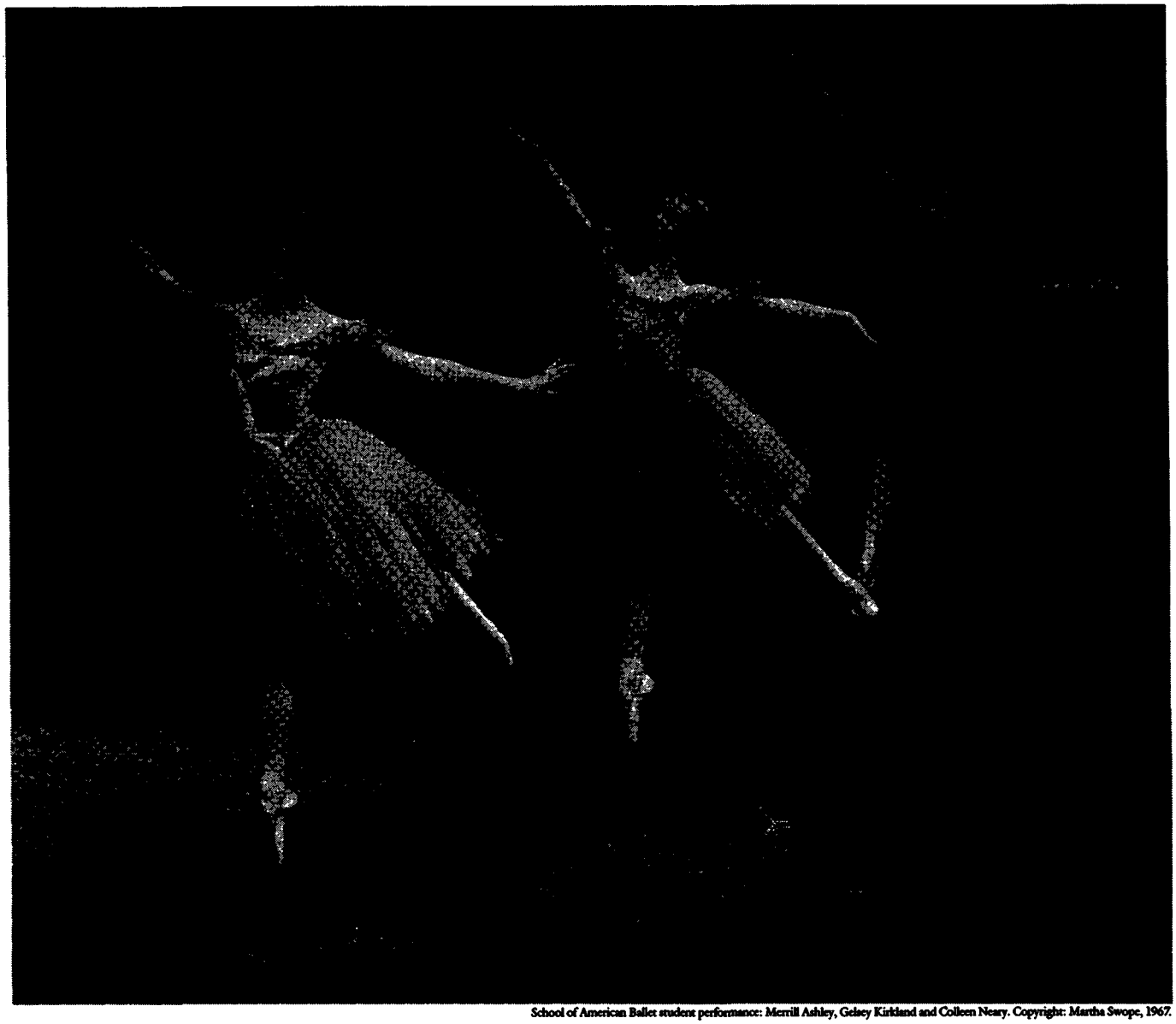

School of American Ballet student performance: Merrill Ashley, Gelsey Kirkland and Colleen Neary. Copyright: Martha Swope, 1967.

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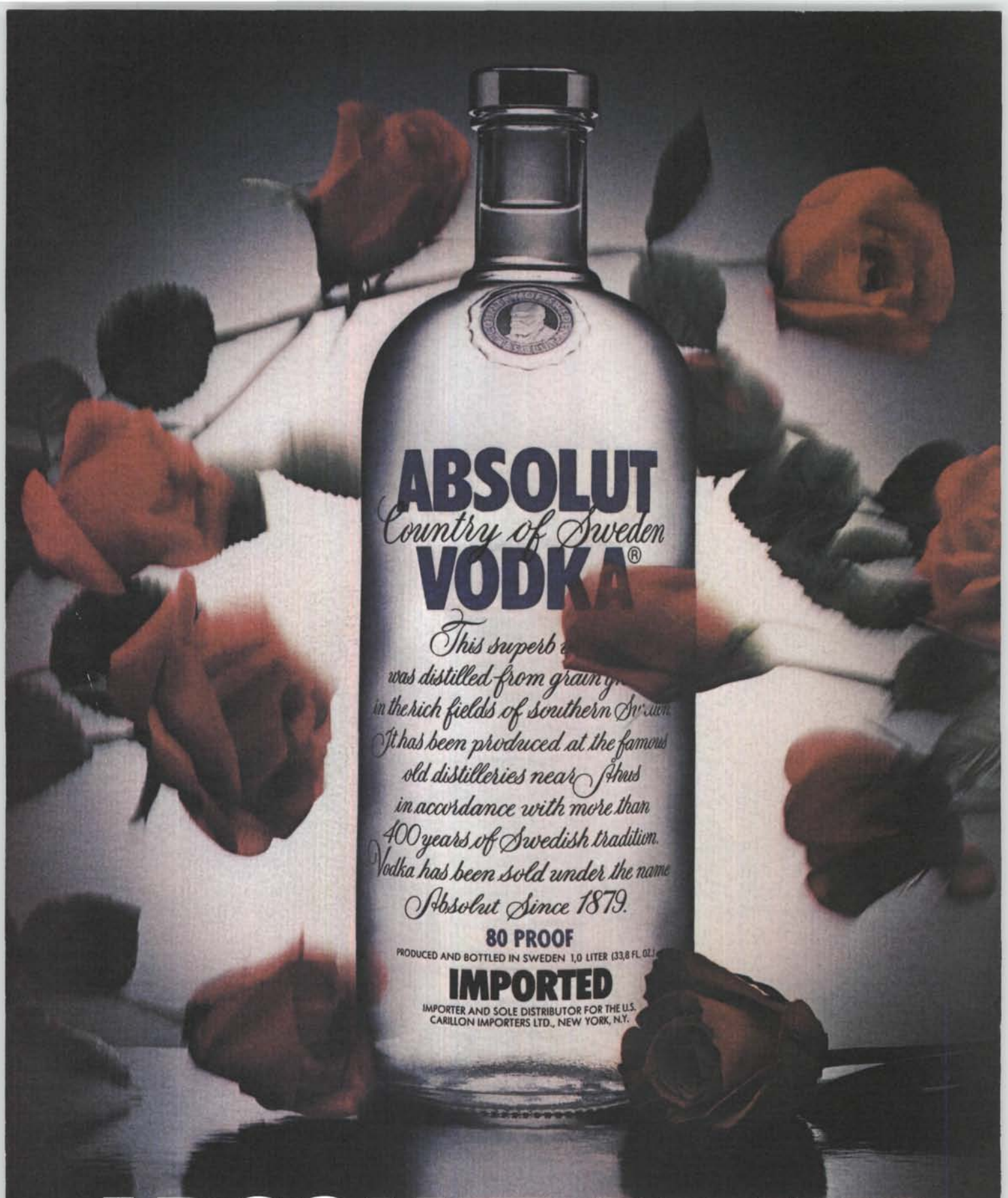
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